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ABSTRACT

These proceedings present testimony from the California Senate Select Committee on Higher Education Admissions and Outreach and the California Senate Select Committee on Higher Education regarding undergraduate admissions at the University of California (UC) in the aftermath of Proposition 209 and California Board of Regents' Special Proposal 1 (SP-1), which eliminated the use of race as a basis for admissions. Four panels of witnesses focused on alternative solutions to increasing access to the university; the admissions process; student views of the admissions process; and access to college preparatory courses and outreach. The testimony noted the declining number of African Americans and Hispanics and the increasing lack of diversity at UC institutions, especially at the two flagship Berkeley and Los Angeles campuses since implementation of SP-1; the biased effect of Scholastic Assessment Tests (SAT) scores on admissions; the biased effect of grade point average (GPA) on admissions (noting that advanced placement courses, widely available in affluent school districts, can boost students' GPA scores above 4.0); and proposals to overturn or mitigate the effects of SP-1, including admitting the top 6 percent of graduates from each California public high school to the UC system. (MDM)

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CALIFORNIA LEGISLATURE

ED 434 572

SENATE COMMITTEE ON HIGHER EDUCATION
SENATOR TOM HAYDEN, CHAIRMAN

SENATE SELECT COMMITTEE ON HIGHER EDUCATION ADMISSIONS AND OUTREACH
SENATOR TERESA P. HUGHES, CHAIRWOMAN

THE NEW FACE OF THE UNIVERSITY OF CALIFORNIA: UNDERGRADUATE ADMISSIONS IN THE AFTERMATH OF SP-1

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May 5, 1998
State Capitol
Sacramento, California

HE 032 350

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THE NEW FACE OF THE UNIVERSITY OF CALIFORNIA: UNDERGRADUATE ADMISSIONS IN THE AFTERMATH OF SP-1

May 5, 1998
State Capitol
Sacramento, California

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October 27, 1998

Honorable John Burton
President Pro Tempore of the Senate
Office of the President Pro Tempore
Room 205, State Capitol
Sacramento, CA 95814

Dear Senator Burton:

The attached publication represents the testimony and materials presented at the Senate Select Committee on Higher Education Admissions and Outreach and the Select Committee on Higher.Education hearing held on May 5, 1998.

The hearing examined undergraduate admissions at the University of California in the aftermath of SP-1 (Special Proposal).

Witnesses at the hearing made a number of recommendations and insights regarding the community colleges and the services they provide to students.

I am confident the Legislature will find this information useful as it formulates the goals of the Senate Select Committee on Higher Education Admissions and Outreach. If you are interested in additional copies, please contact Senate Publications at (916) 327-2155.

Sincerely,

Teresa P. Hughes

TERESA P. HUGHES
Chairwoman

TPH:jm

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THE NEW FACE OF THE UNIVERSITY OF CALIFORNIA:

Undergraduate Admissions in the Aftermath of SP-1

The Senate Select Committee on Higher Education Admissions & Outreach
and the Select Committee on Higher Education
Tuesday, May 5, 1998, State Capitol,
Room 3191, 2:30 p.m.-5:30p.m.

AGENDA

OPENING STATEMENT

Senator Hughes, Chair, Admissions & Outreach Committee
Senator Hayden, Chair, Higher Education Committee

NEW DIRECTIONS

Alternative Solutions to Increasing Access to the University
Daniel Tellalian, New Directions in Diversity
Ron Takaki, University of California, Berkeley
Rodolfo Alvarez & Dick Flacks, University of California
Jack Forbes, University of California, Davis
Jonathan Sandoval, University of California, Davis

EXAMINING UNDERGRADUATE ADMISSIONS

Discussing the Admissions Process
Chancellor Raymond Orbach
University of California, Riverside
Patrick Hayashi, Admissions and Enrollment
University of California, Berkeley
C. Judson King, Sr. Vice President and Provost, University of California
Professor Keith Widaman, Chair, University of California
Board of Admissions & Relations with Schools

STUDENTS SPEAK-OUT ABOUT THE ADMISSIONS PROCESS

Students Involved in the University of California
Angel Malone, Berkeley High School
Alejandra Garcia, University of California, Riverside

PREPARING STUDENTS ACADEMICALLY

Examining Access to A-F College Prepatory Courses & Discussing Outreach
Sonja Hernandez, Deputy Superintendent, California Department of Education
Winston Doby, Vice Chancellor for Student Affairs, University of California, Los Angeles

CLOSING REMARKS

Senator Hayden & Senator Hughes

SENATE COMMITTEE ON HIGHER EDUCATION
Senator Tom Hayden, Chair

SENATE SELECT COMMITTEE ON HIGHER EDUCATION ADMISSIONS AND OUTREACH
Senator Teresa P. Hughes, Chair

"The New Face of the University of California: Undergraduate Admissions in the Aftermath of SP-1"

May 5, 1998
State Capitol

SENATOR HAYDEN, CO-CHAIR: Senator Hughes and I are about to begin this hearing. We just want to do some housekeeping here. It appears that we have too small a room, and it doesn't appear that there's another room available. What I was going to suggest is that the first panel of witnesses could evacuate their seats, come up to this table. Other witnesses can sit in these side chairs. That would open up eight more seats for people who are cramped back there. And there might be some other ways to improvise some room. But everybody is certainly welcome and we're glad you're here. It's just very difficult to squeeze everybody in.

SENATOR HUGHES, CO-CHAIR: As I call your name, if you're present, would you come up and take seats at the table. Daniel Tellalian, Ron Takaki, Rodolfo Alvarez and Dick Flacks, Jack Forbes and Jonathan Sandoval.

Sergeant, would you call the other committee members and see if any of them are available at this point?

SENATOR HAYDEN: All right. This is an informational meeting of the two select committees, one on Higher Education and the other on

Admissions and Outreach that Senator Hughes and I chair. The record will be kept. Others in the building are listening and watching. Without taking any extensive amount of time because there are so many witnesses, I simply want to thank everybody, one and all, for coming to grapple with this very painful and complicated issue.

The purpose of the hearing from my point of view is to go over rather quickly the situation before us in terms of the post-209 impact on admissions, but not get stuck in a numerical debate about how many and what percentage decline there is, or how that is just a momentary blip, and in three years we'll have to have another study. But everybody should try to address and define the problem as they see it and then move on rather swiftly to what their vision of the university is, and what kind of reforms, if any, are necessary to achieve the goals of a public university serving the needs of the great majority of Californians.

The university has some suggestions. Institutionally, members of the university community, from the faculty and the student bodies, have made suggestions themselves, personally. Members of the Regents and former members have had suggestions. And I think if we concentrate on just stating the problem as we see it and moving to the proposed solutions and concerns you may have about other ideas that are in the air, it will be helpful. That's not to just say, "Go to the end of the page and just tell us what your conclusions are." I know there's some very thoughtful and reflective people here and their ideas are welcome, but it's to emphasize the need to look at the future and what needs to be done to represent the public interest.

Senator Hughes, did you have comments as well?

SENATOR HUGHES: Yes. I'd like to say thank you to one and all for being present here today -- for administrators, for professors, for students, for members of the public. It means so much to us to hear directly from you so that we can deal with the problem that we all face. It is a problem. It's a major problem. Just as all of you are trying to get into this room, many qualified students are trying to get into the classrooms of the university, and it's very, very, important that we attempt to accommodate them in a fair and equitable manner. We're talking about our wonderful, fine, public institutions of higher education, and we want to grant access to those people who are members of our community here, in our state.

And I thank Senator Hayden for coming together with me, and we want to get right into the business of today's agenda.

I'd like to indicate that he has to float to another committee later, so he'll be chairing the first portion of this hearing and then I will continue.

Thank you.

SENATOR HAYDEN: Thank you. I also want to introduce Jamillah Moore, over here, who's prepared a really quite wonderful summary document. Stephanie Rubin, on my staff, on my right, who worked with me, if she'll recall, on the hearing on favoritism in admissions last year, which I think, if that practice alone was abolished, there would be plenty of room for hundreds of qualified students in the university. And Alan Tang also needs to be thanked for these publications.

I might point out, Senator Hughes has a constitutional amendment proposed that would determine that the top 12.5 percent of high school students are qualified by class ranking at individual high schools. There's a version of that proposal by Professors Alvarez and Flacks that started at six percent. There's a version of that that's coming from the university, the president's office, that speaks of four percent. I have a bill that would provide SAT funding, prep-funding, for economically disadvantaged families so you don't get one set of families being able to afford tutors and others not. Senator Hughes has a measure, Senate Bill 1807, that creates a pilot study that would compare the performance of students who've been admitted with standardized tests, and those against those without. And I also have legislation that's co-authored with Senator Hughes that would ask for $5 million from the budget this year for a grants program to create service learning centers on individual campuses where students would get academic credit and compensation for doing tutoring and other after-school programs, like tutoring on public school campuses aimed at increasing the achievement rate and the academic improvement and well-being of the students. All of those issues are in play in various hearings this year.

SENATOR HUGHES: Senator Hayden, would you like to introduce Regent Brophy to come and sit up here with us? We would appreciate your presence here.

SENATOR HAYDEN: Mr. Brophy, how are you? We have a throne here for you. A very comfortable chair.

SENATOR HUGHES: And I'd like to introduce our colleague, Senator Hilda Solis, who has seen fit to join us.

MR. BROPHY: I'm no longer a regent. I came -- (inaudible).

SENATOR HAYDEN: That's why I said former Regents.

SENATOR HUGHES: Once a regent, always a regent. You'll get the blame or the credit.

SENATOR HAYDEN: All right. The first witness is Dr. Takaki from the University of California at Berkeley. There's no problem with photos. Is there, Members, if students want to take photos?

SENATOR HUGHES: No.

SENATOR HAYDEN: Dr. Takaki, welcome. I'm a big fan of your writings, your books. I've never had the opportunity to hear you testify before, but we appreciate your presence.

DR. RON TAKAKI: (Inaudible) -- I'm a professor of Ethnic Studies at the University of California at Berkeley, and I've been teaching there for 26 years now. I've had the privilege of watching the face of Berkeley change, and it saddens me to witness this diminishing of diversity.

I might look like a professor as I sit here before you, Senator Hayden, but actually, when I was a teenager, maybe like you, I wasn't academically inclined.

SENATOR HAYDEN: You look no more like a professor than I do a Senator.

DR. TAKAKI: Okay. But when I was a teenager I was a surfer. I'm from Hawaii.

But what happened was this. During my senior year, I took this religion course -- I went to an Episcopalian high school -- and my teacher was a Dr. Sungi(?) Nishi, an Asian American Ph.D. And I can remember going home and saying to my mom, who only had an eighth grade education because she was born on one of the plantations in Hawaii, I said, "Mom, my teacher's name is Dr. Sungi(?) Nishi, Ph.D. Mom, what's a Ph.D.?" And she said to me, "I don't know, but he must be very smart." And I think that sort of turned on a bulb in my own mind about maybe someday becoming a Ph.D. myself.

Well, as I was walking across campus in the Spring semester of my senior year, this was in May, Dr. Nishi stopped me and he said, "Ronald, I think you should go away to college. There's this fine liberal arts college in Ohio called the College of Wooster. Would you like to go to the College of Wooster?" And I said, "I didn't think so." I said, "It was too far away." And he said, "Well, let me write to the college and tell them about you." And I said, "Okay." I forgot about this conversation, and a month later I received a letter from the Dean of the College of Wooster that said: "Dear Mr. Takaki, You have been accepted to the College of Wooster. But, please fill out the application form."

When I look back at my experience, I realize that this was an early version of affirmative action. This Dean hadn't even received my transcript yet. He didn't know about my SAT scores yet, which were not very high. But nevertheless, on the basis of this letter of recommendation, he decided to give me not preferential treatment, but a special opportunity for educational equality. And that's why I sit here before you today.

Now, the problem as I see it, in terms of the University of California admissions, is that it's multiple; but one problem is the way we measure merit -- the way we measure merit.

We turned away at Berkeley 800 Latino and African American students with 4.0 GPAs. How can that be? But our chancellor said, "Well, they weren't competitive." But why were they not competitive? Well, they were not competitive for two reasons: One, their SAT scores were not as high as the scores of the students who had been admitted. But, SAT scores correlate with family incomes. They rise together.

Now, Senator Hayden, you said, "Well, let's have financial supplements to take these SAT courses." Well, I don't think that's really a solution because these SAT prep-courses are very expensive. Some of them cost a dollar a minute. And if you come from a wealthy family, you can start taking these prep courses at the seventh grade level, and you can take the PSATs again, and again, and again. So it will not be a playing field that will be level.

I suggest we simply abolish the SAT requirement. Or at least use it the same way we use GREs. In other words, as a reference point. But not compare students--

SENATOR HAYDEN: My actual proposal was to abolish the SAT unless all families can afford to take it.

DR. TAKAKI: Okay. You have my vote on that one -- abolish the SAT. Or at least use it as a reference point and don't put students head-to-head against one another.

The second problem in terms of measuring merit is the awarding of bonus points for AP courses -- advanced placement courses. These are courses offered in great abundance in suburban schools.

And so how can you, coming from an inner-city or an urban school, achieve more than a 4.0 GPA, even if you made a tremendous effort? And so I'm saying that the awarding of extra bonus points for AP courses and the use of the SAT as the determining factor in the selection of students represents, or constitutes what can be called "de facto" discrimination. The University of California is practicing "de facto" discrimination. We are, in other words, violating the Civil Rights Act of 1964. In effect, "de facto" discrimination.

So what's the solution? Well, I've already offered two of them -- abolish the SAT requirement, and two, eliminate the awarding of bonus points for AP courses.

I have a third solution. Why don't we individualize our assessments of the students? Look at their test scores, their GPA, their letters of recommendation, their statement of purpose, evidence of special interests, skills, talents, and also do interviews. MIT, Harvard, Stanford, they all have the element of doing interviews. Why can't we interview, say, the top half of our students? And then, based upon what I call this composite portrait of each applicant, create a top tier, say, of the top one-third, assign each one of them a number, and then let a lottery do the choosing. At Berkeley there were 30,000 students who applied. When we take the top 10,000, give each one a number and let the numbers make the selection. This would be truly colorblind then. But if 20 or 30 percent of them are students of color, mathematically, in terms of this lottery, 20 or 30 percent will be admitted to the University of California at Berkeley.

So that's what I suggest. Of course, ultimately, what we have to do is overturn Prop. 209. We have to allow race to be one of the considerations in the selection of students who are qualified for admission.

What about the four percent solution, twelve percent solution? Well, you can ask me questions about that. But that's all I want to say at this point in terms of the solutions, the ideas I have, for at least creating a more level playing field until we can overturn Proposition 209.

SENATOR HAYDEN: All right, very good. Thank you. Next witnesses, Dr. Alvarez and Dr. Flacks.

Question from Senator Hughes.

SENATOR HUGHES: (Inaudible) -- do you see to ethnic diversity and what is the university losing without it?

DR. TAKAKI: Well, I think we are diminished intellectually. Berkeley, today, is very proud of its American cultures requirement. This is their multi-cultural requirement for graduation. Every student, in order to graduate from Berkeley, must take a course to deepen and broaden understanding of our society's racial and ethnic diversity. Well, the Berkeley faculty approved this requirement, when? in 1989. Two years after students of color totaled 52 percent of the undergraduate population. That was in 1987. So these students arrived on campus in 1987, and without saying a word, it sent a message to the faculty. They said, "Read our faces. We don't see ourselves in the faculty. We don't read about ourselves in the books you're requiring us to buy and to read. And we don't hear our voices in the lectures presented."

So out of this diversity, which was achieved first through affirmative action, came intellectual diversity. And Berkeley, today, represents a model of multi-culturalism across this country. And I think it will be strange for me to continue to teach at Berkeley, and to teach these courses that fulfill a multi-cultural requirement, and look at the faces of my students and find that it is a student body that's 97 percent Asian and white.

SENATOR HUGHES: Thank you.

SENATOR HAYDEN: All right. I'd like to welcome Senator Vasconcellos along with Senator Solis. We have a long witness list.

SENATOR HILDA SOLIS: Can I ask a brief question?

SENATOR HAYDEN: Absolutely. Senator Solis.

SENATOR SOLIS: Dr. Takaki, just out of curiosity, what are your thoughts on the university's position, or lack of a position, to expand the availability of applicants at other campuses as well? I mean, instead of always looking at restricting who gets admitted, we have this constant pushing and pulling of programs that are heavily impacted, there's no room for so many students to come in. Isn't there some thought in the university where we ought to actually be expanding enrollment in slots in the different schools so that more applicants can be admitted?

DR. TAKAKI: Yeah. We need more campuses. We desperately need a tenth campus. But that's still not going to solve the problem for the flagship campuses, UCLA and Berkeley, because what's going to happen here, and that's already happening, is that we're developing into a two-tiered University of California. And in fact, it's a tracking system: Asians and whites get tracked to Berkeley and UCLA, and Latinos and blacks get tracked to Riverside. And I don't think this is the kind of University of California that we should allow to happen in this state. If we believe that ours should be democratic institutions, then Berkeley and UCLA should be open to all the peoples of California. So expansion is not going to solve the problems -- all of Berkeley and UCLA.

SENATOR SOLIS: But it is one important aspect that I think some of us in the Legislature agree with because we've heard so much discussion about the upcoming tidal wave of students. And while there's a group of people who say that that's not true, we know that there probably is some accuracy to the level of students that could be eligible -- could be eligible -- and probably would want to come to a UC campus, even if it's not Berkeley or UCLA, if there were other campuses open. And I know there's talk from one of our colleagues about a possible site in Chula Vista. Now, whether that happens or not, that's not for us to debate now.

But the fact of the matter, too, I believe, is that students feel that the campuses are so heavily impacted, the course work is so rigorous to get in to, that it's true, our students can't compete. They don't offer enough AP courses in the district where I reside. At the high school that I attended, there is no such a thing. You have to go to a community college to get extended mathematical training if you want to go into engineering. And that's a problem too. It's a structural problem. But I do believe that we have to look at this with different eyes or different spotlights, expanding the campuses, making it more available, accessible, so it is truly reflective of all our communities.

And I agree with a lot that you said. The SAT is not a good predictor, in many cases, of a student's achievement or capability. And I fall into that category personally. And I know of many students who did mediocre, but yet are scholars and professionals in their own right. So to a certain extent I agree with you. I know, however, that the institutions -- UC system overall -- has to have their criteria. And I now that at some campuses they have looked at, for example, the workload of a student -- if they held two jobs while attending, maintaining a 3.0 GPA at their high school. Whether they come from a low-income background or not. Those are very important factors that I think should be weighted in more heavily when we do admit students to the UC system, because that shows that that student is just as tenacious and hard working and driven.

SENATOR HAYDEN: Thank you. Without being heavy-handed, it's 3:00, we have 20 witnesses, Dr. Takaki is our first witness, so maybe Members' questions and comments could go to whole panels so that the first speaker on the panel doesn't have to answer all the questions. Or our panelists should speak briefly because we need to get a lot of discussion out today.

Daniel Tellalian, I'm told you have to leave immediately to take a final exam. So my question for you is what are you doing here?

MR. DANIEL TELLALIAN: Standing up for something that's important.

SENATOR HAYDEN: All right. Well, give your testimony briefly and then back you go.

MR. TELLALIAN: Okay. I've very brief comments to make. My name is Daniel Tellalian. I'm a graduate student at UC Berkeley in both the law and MBA programs there. I'm also a co-author of the *New Directions in Diversity Report*, which critiqued the embedded preferences at UC Berkeley's Boalt Hall School of Law, which has been in the papers recently. The authors of the *New Directions Report* also made recommendations to Boalt Hall on how to correct inequities in the law school's current admissions policies. To date, some of these recommendations have been adopted by the law faculty already, others are understudied by the school. And as a graduate school, Boalt Hall is one year ahead of the undergraduate game in kind of trying to deal with the aftermath of Proposition 209.

In order to mitigate the racially segregated effects of Proposition 209, I would recommend a few strategies briefly to the Legislature here today, some of which I've already heard by Professor Takaki. But before I do so, I'd like to make clear that nothing short of affirmative action will create the racially integrated educational setting that the UC system enjoyed with affirmative action. Unless Proposition 209 is repealed, we cannot accomplish that goal of racial integration on the level that we have via race-neutral means. America's history of racism and discrimination has created structural obstacles to social mobility which cannot be overcome by willpower alone. That being said, we are where we are today, and we have to go forward from here.

The elimination of affirmative action gives us the opportunity to rethink these fuzzy notions of merit, which would turn out to be highly arbitrary admissions policies, and to identify some of these seemingly objective criteria which always seem _______ disproportionate racial results when students are admitted to public universities.

Very briefly, I would recommend the following options to you. First and foremost, I think, especially at the legislative level, the rhetoric needs to be set straight. There are a couple of principles that we at *New Directions* identified that I think may be guiding principles for the Legislature as well. The first of which, number one, is that the public university system has a duty to educate citizens from all segments of society and produce graduates that will serve all segments of society. From that flows a lot of logical conclusions.

Second, and you addressed about this briefly, Professor Takaki, is that there seems to be a lot of rhetoric going around that diversity and excellence are mutually exclusive things, and the fact of the matter is that is not the case. In fact, excellence cannot be achieved without diversity. If you look at individual admittees or enrollees to school, you see individually highly, highly qualified individuals. But when you look collectively at a class of enrollees, a class coming into a school such as Boalt Hall, or such as UC Berkeley, as a whole, that class, I dare say, is collectively unqualified to serve the state of California. And that's where you need to recognize that -- a brief analogy. If I was an art collector and I was collecting paintings and I had an overwhelming preference for orange paintings, I might have the ten best orange paintings in the world, but do I have the best art collection in the world? I don't. And I can never claim I do. I fear that UC Berkeley and the UC system is collecting only orange paintings without a remedial effect such as affirmative action. Excellence cannot be achieved without diversity.

Finally, as demanded by Proposition 209, preferences must be eliminated from the process of allocating school slots to admittees. This goes for embedded preferences, structural preferences for whites and the wealthy, as well as explicit remedial preferences for underrepresented minorities. And I think a really zealous attempt to eliminate all preferences from the admissions process would make quite a difference.

Specific recommendations I would urge you to consider are the following. One, Professor Takaki mentioned that guaranteed placement at UC schools for top students from every public high school be that the top whatever percent is debatable, but this is a tactic that Texas used in response to the Fifth Circuit *Hopwood* decision which eliminated diversity as a compelling interest allowing affirmative action. By ensuring that the top students from each public school are awarded with superior public education, one can eliminate some of the biases that are aiding suburban applicants, and address some of the preferences linked to residential segregation here in California. That's what Texas has chosen to do.

Secondly, I heard the AP courses mentioned, and it is a real concern, and it is, in my research also, something that is affecting the preferences going through. There's a difference if a person -- the availability of AP courses. If you can only take the three AP courses, or the one AP course available at your public high school, you'll be non-competitive compared to each of the suburban schools that offers fifteen. Perhaps look at things in relation: If you've taken three of the three available AP courses at your high school, is that worth more than someone who's taken three of the fifteen offered AP courses at their high school? Look at what's available to you, the opportunities available to you, and the initiative that you took to use those opportunities.

Finally, de-emphasize the SAT. The recommendations of the *New Directions Report* offered was a blended academic score. Because the SAT is a number -- in the law school's case, the LSAT is a number -- there's a tendency to rely on it as hard data, when really it is not as hard as one might seem. There are a number of things the *New Directions Report* and other reports have said, that it's difficult to have such a hard quantitative indicator of academic potential; and then looking at things like socioeconomic criteria on a much more qualitative level, it doesn't seem as hard. It doesn't seem as persuasive. I would recommend blending of the Academic Index Score, which is a composite of your GPA and your SAT, with a, what *New Directions* termed, Character Index Score, or a numerical evaluation of socioeconomic criteria, also laid out in the *New Directions Report.* Blend those together and force the two be evaluated together when the sorting process goes as to what files receive more attention in the applications process.

Finally, greater outreach is necessary. It is not a solution in and of itself. But public schools which have not had a strong record of producing high school graduates that go the UC schools should be specifically targeted. If there's no role models, there's no college counselors, there's not a push to apply to the UC system, it makes it difficult, and I think UC has a burden to make race-conscious outreach, I believe, to those schools. And I have a legal memo here that we've put together that says that, "race-conscious minority outreach is perfectly legal under Proposition 209."

That's it.

SENATOR HAYDEN: All right. Thank you.

SENATOR HUGHES: Do you need to leave now?

MR. TELLALIAN: I can stay for a little while.

SENATOR HUGHES: Well, can I just ask him a quick question?

SENATOR HAYDEN: Sure.

SENATOR HUGHES: Who should put the pressure on high schools who have never had graduates to qualify, or never had graduates even apply to the UC system? Who should be the power that puts the pressure on? Should it be the school district? I don't know.

MR. TELLALIAN: I think there's a lot of different answers. And I think it should come from different directions. Legally, we refer to things sometimes as the "carrot and the stick." I think that outreach from the UC system should be the carrot. I think we should bring applications to those schools. Explain to people the strategies for applying. Show people role models, a graduate from that high school who's come back and said, "I went to Berkeley. I'm about to go to graduate school." That's the carrot. Show them the hope, the light. And then, I think, on a school district level, I think the stick on some level needs to be applied.

SENATOR HUGHES: Thank you.

SENATOR HAYDEN: All right. Thank you. The next witness -- a comment by Mr. Vasconcellos.

SENATOR JOHN VASCONCELLOS: I would think that legislators -- each of us ought to address our own schools. And if there are schools such as that in our own districts, we ought to be there pushing too.

SENATOR HUGHES: Thank you.

SENATOR HAYDEN: The next witness, Dr. Flacks, Mr. Alvarez.

I should disclose that Dr. Flacks and I met in 1960 and sort of co-wrote the __________ statement of Students for a Democratic Society, which was later attributed much greater power than it had at the time.

DR. RODOLFO ALVAREZ: Actually, Jeff Bridges was the author.

SENATOR HAYDEN: I saw that in a recent film.

Dr. Flacks.

DR. RICHARD FLACKS: Dr. Alvarez first.

SENATOR HAYDEN: Dr. Alvarez, welcome.

DR. ALVAREZ: Thank you. Dr. Flacks and I have sort of caucused in advance and decided on a division of labor in our presentations. So he's going to look at some of the ways in which our proposal has been interpreted, and some of the limitations of those interpretations, and some things for you to look out for. I'll present the skeletal frame of it.

First of all, let me say that I was charmed by Dr. Takaki's story of how he came to find out what a Ph.D. was. I have an almost verbatim, similar story and we ought to get together and compare notes on that. It's amazing how that works.

But one thing that immediately comes to mind in thinking of that in this context is that what the Alvarez/Flacks proposal does, in a sense, is to institutionalize that experience. To give it organizational and institutional form, and I'd like to speak to that a little bit.

First of all, in speaking to the proposal, let me say that, independently, Professor Flacks and I have been working along parallel lines long before 209, long before SP-1, and so on, long before the current crisis. And when things came to this head, it was just propitious for us to get together and produce this proposal.

Let me say also, at the outset, that as I see it, the Alvarez/Flacks proposal is not a quick fix by any means. It seeks, within the context of what we perceive to be doable in our society today, fundamental structural change for the long-run. In the short-run it probably would not have a whole lot of effect, but I think in the long-run it would. So let me then turn to what are the basic contours of the proposal.

The idea is that the university has put a lot of time, effort and thought, by a lot of able, dedicated people, into the current admissions process. Some of us don't see eye-to-eye with that but, nevertheless, that's the case and we ought to give credit to it. And so for the most part, the proposal then says, "Let's continue." On the other hand, "Let's put it to the test," much as the SAT to the test for validity purposes, as the current admissions process. Let's put parallel to it, in a systematic field experiment, an alternative and then look at results. How much more scientific can you get?

And so thereby, we say, "Take from each and every public high school." There are a lot of private schools in this state. We believe the University of California, being the world's best, large, public research university -- keyword "public" -- has a particular responsibility to the public high schools. And so we think those ought to come first, and maybe later, if space is available and so on, the private schools. That will raise a lot of hackles, no doubt, but if we take the top six percent of graduates, not applicants to the university, of graduates from each and every public high school on the A to F requirements.

So these are the requirements the university has already set as what constitutes eligibility. Take the top six percent, and regardless of the quality of the public high school, as otherwise determined, and regardless of whether or not the student has already taken the SAT test, consider that the top six percent has distinguished themselves; that is, those students have distinguished themselves above 94 percent of their peers in their local context: the neighborhood, the public school, the economic standing of their parents, the educational background of their parents, and so on. In their common ground, in their context, they have distinguished themselves above 94 percent of their peers; for whatever reasons -- whatever help they got, whatever skills they have. Perhaps they sweet-talked their teachers, I don't know; however they did it, they did it. And if they have that capability of rising above 94 percent of their peers, they ought to be in the university. And the university ought to send them, without their having had to apply, send them a certificate of admission. That's the Wooster School letter. The university sends them a certificate of admission -- "You have been admitted." There are details to be worked out -- to which campus, how, and so on. But it's doable. The mechanics of it are doable. The concept is what is important here.

Having been admitted, then we would require them to take the SAT not for admissions purposes because they're already in, but rather, strictly for research purposes. Because then, at the end of that four years, we can compare those who were admitted absent the impact of SAT, with those who were admitted because of the impact of SAT. Those that were admitted absent all of the other phantasmagoria that goes on in admissions -- you know, did this person have this quality or that quality? did they suffer this problem or that problem? do I like them? or whatever -- absent all of that, they were admitted because they were in the top six percent of their high school class, and yet, we could compare them to the others who were admitted under all of the culture of admissions. Every organization develops it's own culture. I'm not saying it's good or bad, but the admissions process has developed its own culture and that culture impacts on who gets admitted. We can compare it to that. At the end of four years, hopefully along the running field experiment, we can evaluate not only the validity of SAT but the validity of the admissions process. Dangerous stuff, isn't it?

Now, what impact would it have? Well, maybe not very much, as far as race or ethnicity, or whatever, but remember the demography of the state of California is not static. It wasn't what it is today, yesteryear. It won't be what it is today in a few years. The demography of the state of California is ever-dynamic, ever-changing. So anything you do to adjust for a particular demographic category is going to be out of whack in a few years. Therefore, this proposal seeks not to adjust to particular current demographic categories, but to fundamental structure. It focuses on the public high school. Just think for a moment. Every time the population density of a particular area increases, what do we do? We build a public high school. Every time the density of the population in a particular locale decreases, the industry moves or for whatever reasons, population decreases, we disestablish the public high school. We move it somewhere else. There's a time lag, of course, between population density and the building or the disestablishing of a public high school. But in general, the building and disestablishing of a public high school follows demographic density.

Now, if that's the case, and we admit the top six percent in the way we have suggested from each public high school, several consequences derive. One, we're going to automatically have geographic diversity. We're going to automatically, to a large extent, have representation of whatever category of people happen to be in that density; be it Armenians, be it Slovenians. Maybe the next wave of immigrants is going to come from Iceland, who knows, but whatever the demographic characteristics in that particular concentration of population are, they're going to be reflected in the high school.

And so we are now thinking fundamental structure long-term so that we don't have to go through these gyrations every time somebody's nose gets out of joint because they are either in too much or out too much, or whatever.

I want to turn it over very quickly to Professor Flacks, but let me just say a couple of more words about this. If we do it this way, then this system becomes self-adjusting. Now, in the best of all possible worlds -- I want to say a word now of why this proposal instead of some other, in our view. In the best of all possible worlds, I would support, and I still do support -- I just don't think it's practical given the current culture -- Professor Takaki's point of view. That is to say, evaluate who are the top students, the top layer, roll the dice, have a random selection, and that would be an ideal, in my view -- I don't know whether Dick agrees with it -- I think it would be an ideal way. Any number of scholars have suggested similar schemes -- Sandy Esten(?) at UCLA, and so on.

The problem is that that random selection probably could not fly politically given our political and economic culture, not only in the state of California, but I doubt that it would fly in Alabama, Louisiana, New York City, or wherever in our country. I don't think it's practical. It's ideal, it makes very, very good intellectual sense. Politically, I don't think we could get it done.

Secondly, should we eliminate SAT? I'm on record from my assistant professor days of 1960s. It's a fight I've been fighting for a long time. Yes, we should eliminate SAT. Can we get rid of it? Maybe the larger society might go along with us, but inside the academy, among our colleagues, many of whom should, in my judgment, know better, still believe in the value of SAT. And it would just, politically, not fly to just wipe it out. What might fly would be if we could demonstrate over a period of time with a field experiment how poor it is. And then on that basis make the case for getting rid of it. But just to get rid of it immediately I suspect wouldn't fly.

So that's what we want to present. And Dick, you had a couple of things.

SENATOR HAYDEN: All right. Before Mr. Flacks, I just want to introduce Senator Steve Peace from the San Diego area is also here. Mr. Peace, we're on the first panel. We've got 20 witnesses and we're just finishing up with the first panel. There's a couple of more to go. These are panelists who are proposing alternatives to the status quo. Then we'll hear from the university, administration and students.

DR. RICHARD FLACKS: My name is Richard Flacks. I'm a Professor of Sociology at UC Santa Barbara. And as Rudy Alvarez points out, we've made this proposal which I think we're quite pleased to see the university administration and faculty bodies taking quite seriously, at least some interpretation of the proposal or some version of it. So we hear that the university is moving toward not six percent but a plan in which the top four percent of each high school would be eligible by virtue of their position in the class standing for UC admission.

And by the way, that relates very strongly, obviously, to Senator Hughes' question about how do we get these schools who send nobody or send very few students to the university? This is the primary mechanism to do it. To base eligibility, at least in part, on performance within each and every high school, rather than on the SAT and other statewide kinds of norms.

But I wanted to specifically raise certain points for you to consider about whatever the university's official handling of this proposal is going to be.

First, and most important, my worry -- both Professor Alvarez and I are worried that the decoupling of admission based on SAT will not happen. In other words, the students in the top four percent will be considered eligible, but their selection on each individual campus will continue to be based on their performance on the SAT. As a matter of fact, my understanding is that the university will insist that in order to be eligible, these students will have to take the SAT.

Now, we are saying that students in this category -- top four, top six percent of each school -- should be admitted automatically without reference to their performance on the SAT, and they should be given the opportunity to accept that admission at a campus of their choice, not necessarily their first choice, but certainly one of the campuses that they would choose.

We had thought that it would be a good idea to have each campus designate certain high schools as the ones that they would accept students from automatically. If that becomes too difficult, at least let us ensure and guarantee that each student in this category of top in their class get admitted to the university without looking at their SAT performance as a criterion for acceptance.

Why is that important? First, it seems as though large numbers of students, particularly minority students, who are eligible on the basis of their grades are not taking the SAT test. And I'm not sure anyone knows why but it seems likely that one of the reasons that sizable numbers of minority students are not taking the SAT is out of some aversion to the test process for whatever reason. Perhaps they're aware of something that has already been pointed out, which is the degree to which success on the SAT depends on preparation for it that they cannot afford, or have not had opportunity to take. So one reason for not requiring the SAT as a measure of the eligibility, or as a determinant of the eligibility of the students is just that.

Secondly, to have the experiment that Professor Alvarez has spoken of which would, we think, be unique in the United States. That is, a real chance to compare students admitted without the SAT to students admitted using the SAT over time, seems to us, an opportunity that should not be sacrificed.

I think the university has tried to take the SAT issue off the table for discussion quite prematurely. And I would urge that -- and please -- that this committee, this select committee has tried to maintain the scrutiny of that. It's a national debate that deserves to happen. We're making a proposal that we think is quite moderate about doing that kind of scrutiny; and yet, the university seems to be still stuck on requiring the SAT as a basis for selection in the individual campuses and for qualifying for admission -- for eligibility.

So that's one of our main kinds of concerns. We think that the galvanizing effect of students in schools that now are not sending their students to the university, of getting these certificates of automatic admission could be a profound effect. That is, finally these people in these schools will realize that they have the chance to go to the university.

I've been told over and over again, year after year, by students that they were the first or only member of their graduating class to come to the university, and the reason they did so was because of information not provided by their school but from some other source. It's important for us to break through this, and that affects not only minority students but students in rural areas, small towns, and so forth.

Second -- and this gets to the point that Senator Vasconcellos was raising -- where there are schools not providing the courses that enables students to go to the university, now, it seems to us, community pressure will rise because these schools, if they did provide the courses, would then be able to send students to the university. The political pressure on the Legislature would be healthily raised from this. The political pressure on the schools themselves.

So to not emphasize the automaticity -- if I can use that word -- the automatic nature of admissions of these students I think would undercut the whole point of this proposal of taking the top students. So I urge you to question the university people -- the administration people about what they think the evolution of this is likely to look like.

SENATOR HUGHES: I'd like to introduce to some, and acknowledge to others who know him, Senator Ralph Dills, who has joined us.

Thank you.

SENATOR HAYDEN: All right. Our last witness, Jack Forbes. Are you still with UC Davis, Mr. Forbes?

DR. JACK FORBES: Yes, I am.

SENATOR HAYDEN: All right. Introduce yourself a little.

DR. FORBES: Thank you very much. I've passed around some material relating to my background, and also to my analysis of the Ninth Circuit decision regarding Prop. 209 and also its impact on statewide testing.

I voted against Prop. 209, but I am of the belief that it accomplishes things that are very, very different from what most people are saying about 209, because I read 209 as affecting Anglo-Americans as an ethnicity as well as affecting other groups. And I think its language is being violated by the University of California right now, as well as being violated by a number of other state agencies. I believe also that SP-1 and SP-2 are unconstitutional, primarily because they prohibit a remedy for a race and gender-based discrimination, and I think that's against the constitutional law of the United States as well as against the Ninth Circuit decision in the case of Prop 209.

And I'm going to try to move through this very quickly -- I realize for some of you it's probably very new material -- but in looking at the Ninth Circuit decision, the Ninth Circuit Judge, Diarmuid O'Scannlain, makes it very clear, first of all, that 209 does not do away with remedies for discrimination. And that, I think, is something that is a little bit overlooked in looking at solutions. He cites over and over again the 14th Amendment guarantees that there's an injury, there will be a remedy, and there's nothing in 209 that does away with remedies. He also does not equate remedies with preferential treatment. And I think there's been a lot of confusion on this, especially on the part of the University of California, automatically thinking that a preference is the same as a remedy.

It is my belief the University of California is still legally obligated to provide remedies for past discrimination. Proposition 209 did nothing about it, and I want to stress to you the fact that the University Office of the President began rolling back affirmative action before SP-1 and SP-2 were adopted, let alone before 209 was adopted. So the initiative came from the University Office of the President, not from 209.

I want to also quote specifically something from Judge O'Scannlain that may be a surprise to you. He says, for example, that when the state gives the identified victims of state discrimination jobs or contracts that were wrongly denied to them, the beneficiaries are not granted a preference "on the basis of their race," but on the basis that they have been individually wronged. In other words, when the university offers remedies for prior discrimination, it is not offering remedies on the basis of race, it is offering remedies on the basis that they were previously discriminated against. And thus, everything that we've had on the books in prior years is still on the books as far as the university admissions are concerned. And the idea that 209 did away with that is, I think, nothing but propaganda, our misinterpretation of the judge's decision.

The judge makes it very, very clear, again, that the beneficiaries of state action are not granted a preference on the basis of their race. And what we have is a class of people who have been systematically discriminated against since 1850 when Native Americans and African Americans, and later Asian Americans, and Mexican Americans were put in a class of people which was not a race, not a national origin, not a color, not an ethnicity, but a large group of people who were discriminated against. That is the category. So when remedies are sought for the people that have been discriminated against, it does not constitute a national origin, a class, or race, or gender. It is not affected by Proposition 209, in my opinion.

Now, 209 also has a great impact on the subject of SAT, which was just discussed. Because 209, of course, requires that all instrumentalities of the state of California, including all tests of course, have absolutely no bias or discrimination in favor of any ethnic group, national origin group, and so on and so forth.

Now, what this means, of course, is that any test to be legally used in the state of California must be analyzed for its ethnic impact. A test, such as SAT, that has not been analyzed is not a legal instrument in the state of California. I think the interesting thing about 209 is because it was a constitutional amendment, it takes precedence over the Regents' separation in the Constitution. In other words, their separate position is, in effect, amended by 209 because it is an amendment to the Constitution, itself. So the instrumentalities that the Regents use have got to be absolutely neutral or plural in relation to any tests. So this is true of all entrance examinations. It's true of all public employment examinations in the state, medical examinations, lawyers' examinations. All of them must be reexamined by neutral bodies to see if in fact they meet the test of 209.

Another point that I would make which directly relates to access is that the schools in the state of California under 209, in my opinion, must provide every child in the state with the same per capita expenditure back of each student. This means that the state of California -- I'm referring to the

Legislature here -- must change the way that schools are funded, because it is the state of California that decides how schools are funded, not local school districts. And under Proposition 209, it is illegal to provide differential funding per school. And that is the present situation -- each pupil is not backed by the same amount of funding. They don't have the same kind of textbooks. They don't have the money for AP courses. So that is the law now, the Constitution requires, in my opinion.

The reason for that is because the majority of schools who don't have good money behind them are attended by non-Anglo-American pupils. And there are other issues on that, but I just want to stress that.

Now, having said that, I would like to sketch out a few things that I think need to be done, not necessarily because we want to do them but because I think they're the law.

First of all, I've mentioned that all tests utilized by the University of California must be suspended until it is determined that they meet the test of the law. I think that is not an option, but it is, in fact, a legal requirement.

Secondly, I think the SAT scores for admission must be ended because it is fairly clear from evidence that they are discriminatory against persons whose national origin is not Anglo-American, or whose ethnicity is not Anglo-American. They're also not good predictors.

Third, the awarding of extra bonus grade points for advanced placement courses -- as I warned in my study of UC admissions in 1985 -- is illegal. I warned then that it was illegal not only because now it is a violation of Prop. 209, but because it is also a violation of the State Constitution, which reads, "A citizen or class of citizens may not be granted privileges or immunities not granted on the same terms to all citizens." And very clearly, if you're attending a school that has no money and offers no AP courses, you are being denied privileges that are being granted to other kinds of persons.

I believe also that the accrediting of high school courses by the University of California's faculty must be suspended, not only because they're not experts in secondary education but also because I believe it is a violation of the autonomy of the K-12 public school system, and was illegal under the State Constitution as of 1975. I haven't checked to see if that provision is still in the Constitution today, but I assume it is, and that is that, "No unit outside of the public school system can have any jurisdiction over the secondary schools either directly or indirectly." That was in the State Constitution when I did my study of UC admissions in 1985.

All high schools, as I've indicated, must be funded equally. I think that will go a long ways, and I endorse the idea of taking the graduates from high schools on an individual basis, whether it's 10 percent or some other percentage, because that will make darn sure that all high schools are funded equally in this state. That will provide the pressure.

SENATOR HAYDEN: All right. Let's summarize. Please try to summarize. We have 15 more witnesses, sir.

DR. FORBES: Right. I think one last issue that I will mention is that K-12 curricula I think must be looked at in conjunction with university admissions because heretofore, the Board of Admissions and Relations With Schools -- which is not an elected body -- has basically determined a high percentage of the high school curriculum in the state of California. And I think the mixture of admissions to the university, and what constitutes good secondary school curriculum, must be worked out essentially by the public school system in negotiation with the university, not the university insisting that it has a right to determine what the public school system will teach.

I think, finally, let me mention that access must be expanded and I favor the Ed Apodaca plan, which is a plan to see if we cannot convert four to five California state university campuses, such as Cal State Los Angeles, Fresno State University perhaps, to UC campuses, and then convert perhaps ten community college campuses to state university campuses, and of course, create about twenty or more new community college campuses so that we can guarantee access. If we don't do that, we're always going to have eligible students being denied access to higher education.

SENATOR HAYDEN: Mr. Forbes, you'll have to--

DR. FORBES: One last point.

SENATOR HAYDEN: Thank you.

DR. FORBES: I think we need to upgrade all UC campuses to be academic equals of UCLA and UCB to bring an end to that two-tier system.

Thank you very much.

SENATOR HAYDEN: All right. Thank you. Just some housekeeping items. I have no objection to people applauding. Other people have objections to people applauding. I don't know what we can do about it. I mean, you must be frustrated sitting there, and it's the only way you can express yourselves. I don't think you've learned that silent thing where you say, "Yeah, that's it." There's some of you who can give us immediate silent feedback on how you feel about what the testimony is -- it means to you. You might try that. But if we could go light on the applause, it would be appreciated by some members of the panel.

I want to also introduce Senator Johannessen who's arrived. And former chancellor at UCLA, Mr. Charles Young. Welcome to our humble home here, Mr. Young. And Ralph Ochoa, the Board of Regents. Thank you for joining us.

SENATOR HUGHES: If we accomplish nothing more, we have gotten the Legislature to sit down with the chancellor and some board members.

Thank you.

SENATOR HAYDEN: Mr. Forbes, I didn't mean to cut you off. I'm just worried very much about the clock. I had one admonition -- I hope you'll never include the Irish under the framework of Anglo in your future writings.

I had one question. All of us are talking about this framework of whether there should be a four, six, or twelve percent inclusion rate from all the public schools and whether the SAT should be coupled with that, or at least most of the testimony was about that. And my question for Dick Flacks, or any of you, is what do the national or state or local studies say about student performance? I can't remember the details, but you had been doing some research on student performance at UCSB and elsewhere.

DR. FLACKS: Well, I'm interested in, right now, what kinds of students are most, as I say, committed to the academic and looking to make maximum use of opportunity at the university.

One thing that caught my eye recently was a national study that indicated that white male students have a two-and-a-half times greater likelihood of being habitual binge drinkers than non-white students. That students with college graduate parents -- therefore higher upper-class or middle-class -- have more likelihood, considerably more, to be binge drinkers than students coming who are the first in their family to go to college.

Now, it seems to me we've got -- and this really reflects or parallels some data we've gotten at UCSB about how students are using their time, what kinds of activity they're engaged in. And our usual model is that students with highly educated parents from suburban backgrounds and so called good high schools have more cultural and educational capital than the students who are the first in their family to go to college who come from disadvantaged high schools and so forth. Certainly, we think the first group of students are supposedly better prepared than the second group of students for many of the kinds of courses.

What I think we need to pay attention to -- and I think what I'm about to say reflects the experience of a number of faculty now. The students who are in the vanguard of involvement in the university, whether that's measured by commitment to intellectualize, to the academic, to volunteer in community service, to communication and work with faculty, tend to be students for whom being in the university represents a sacrifice. A degree of adversity is involved, a degree of risk is involved. The students who have an easy glide-path into the university are not necessarily the most committed to finding and gaining from the resources that are available. Somehow our admissions policy has to take account not only of the conventional and traditional notions about preparation, but I think what is more important today, the readiness of a student to take advantage of what the university really has to offer.

And the SAT does not measure that. In fact, grades in suburban high schools may not measure that. We have to find other ways of measuring it, and I think our idea, that if you've done exceedingly well even in a poor high school, you may be the kind of student that one wants in their classroom more than someone who's managed to get through with the right score numbers.

DR. TAKAKI: I think we have to be very careful when we talk or discuss student performance. The Thernstroms, in their book, *America in Black and White*, point out that the graduation rate for black students is far below that of the graduation rate for white students and Asian students.

Now, Richard Flacks said that, "Well, these Asian and white students have what you call cultural capital." I don't think it's only cultural capital, it's also economic capital. These Asian and white students come from higher socioeconomic families and so they don't have to work and go to school too. So if you have to work and go to school, it's going to, of course, take you longer to graduate. So it's not that you had lower SAT scores or that you weren't as competitive when you entered, but the fact is that you had to work. Not just part time but maybe even full time.

And so be careful when we say, "Well, let's compare student performances," you see. We have to ask, "Well, are we examining all of the variables that go into student performances?"

DR. FLACKS: You understand, I was agreeing with that.

SENATOR HAYDEN: Mr. Tellalian.

MR. TELLALIAN: Thank you. Just to give a little primary research, as someone who came from a family who had nothing, going to be the first professional in my family, performance and what you do, it's about tenacity. It's about how badly you want to learn and what you're willing to sacrifice to become somebody. And the fact of the matter is that three, four years in a high school and what you do there means a lot more than what you did in a couple hour tests that you were nervous on.

SENATOR HAYDEN: All right. Any other questions from the members of the first panel? Senator Hughes.

SENATOR HUGHES: I'd just like to ask the last question from Dick Flacks and Professor Alvarez.

In your proposal, of the six percent of high school students and admissions to the catchment universities, why did you choose the catchment universities?

DR. ALVAREZ: Or the catchment area.

SENATOR HUGHES: Yes.

DR. ALVAREZ: We were trying to get away from having all the six percent decide, "Hey, great. I'll accept the certificate of admission. I'll go to UCLA or Berkeley." So we wanted to distribute the talent throughout the campuses because it is one university, and the quality of the faculties, very, very comparable, and it's for social and prestige reasons, to a large extent, that students prefer to go to UCLA and Berkeley. If we're going to conduct the experiment in a viable way, then the talent ought to be distributed throughout the campuses.

SENATOR HUGHES: Thank you.

SENATOR HAYDEN: All right. Thank you very much. Mr. Peace and Ms. Solis.

SENATOR STEVE PEACE: There have been various proposals in terms of altering the methodologies of excluding certain folks from the opportunity to attend the university. All of these, both past and proposed concepts, have certain margins of error in terms of predictability of likelihood of success.

You've also made reference in your presentation, at least some of you, that need to address the more global question of how many seats are there in the first place? I'm interested in looking at the -- for lack of a better number -- the last 20 percent and the top 20 percent, or probably better put, the second 20 percent and the fourth 20 percent, and whether there's any statistical difference of any significance between their performance level. And while I've not seen anything that draws any definitive conclusions, everything I've seen thus far tends to indicate that there is no significant statistical difference in terms of performance if measured by graduation rates, drop-out rates in the freshman year; and in fact, if anything, the best predictor of success, ironically, appears to be the senior year of high school performance, which is not even counted for admission criteria.

My question then is from a policy-maker's perspective, understanding that the things that we do tend to be more global, is the highest priority to re-orient what the admissions criteria is in terms of preserving the mechanisms of excluding and determining who's included, who's excluded? Or are the margins of errors with all of these areas circumstances such that we ought to be more focused on increasing the number of seats in order to accommodate the inherent margin of error associated with any selection process?

DR. ALVAREZ: If we reduce the competitiveness by virtue -- not by virtue of equality as we've redefined it, but rather reduce the competitiveness by virtue of the number of seats available. That is, if we increase the number of seats available, then you can admit more and everybody has a chance, or more people have a chance.

The problem with just willy-nilly trying to build new campuses is that it takes generations, really, to build the quality of a faculty, the quality of facilities and so on. All of the existing campuses at the university are still in the process of building, even Berkeley and UCLA. Be they the flagship campuses, they still have a way to go to build further quality as research universities with all of the implications and all of the benefits that undergraduate education derives from the fact that they're outstanding research universities. So when you build a new campus, you're "robbing Peter to pay Paul" in a sense. You're taking money from the larger pot and allocating it over to start a new campus and that means fewer resources to continue the development of an existing campus. So it's a difficult game to play.

We believe that the experiment that we've proposed begins to expose some of the ways in which we can sort of take a more moderate, more middle-of-the-road way toward increasing the representation of all populations in this state, regardless of how those populations change over time. That's why we think it's a long-term and structural proposal.

DR. FLACKS: Well, the other several speakers advocated increasing space, and I do too. I remember in the, I guess, early '80s, we were told that we're going to need by the year 2003 three more new campuses. Suddenly we barely need maybe one more. Where did all those people go? I think the

Rand Corporation, among others, has estimated a couple of hundred thousand students who would be eligible for a higher education, or have gone away. How? Mainly, I guess, through cost increases, tuition increases and so forth.

I find it refreshing that several members of the Legislature are asking us whether we need more space at the university. If that's an indication of a sudden political shift toward providing more investment in higher education--

SENATOR PEACE: Oh, I think there's a huge political shift amongst citizens, voters, parents.

DR. FLACKS: Well, you're the expert on that, so--

SENATOR PEACE: And we're not experts on anything other than being the proverbial canaries in the mine shaft, and what's happening is the politicians are beginning to respond to the anger, frustration, fear of parents and voters, and the only people that I think are kind of "last to the table" to understand it are folks in the university system.

My concern with any proposals that don't involve an aggressive move toward expansion of space is that it's a zero sum game and we're going to be shuffling a deck -- our successors and interests -- we're going to be shuffling the deck talking about how are we going to have a new system that excludes the top two or three percent in the year 2010? Because that's the only thing there's going to be space for. It doesn't matter what kind of selection process you have if the margins of error with respect to all the selection process far exceeds the number of seats that are there.

DR. FLACKS: Well, I would rather have the chaos resulting from what you're talking about than the chaos we have now. So I'm very happy to hear what you're saying.

SENATOR PEACE: Not to mention the inevitable social and ethnic confrontation that becomes part of what really is a statistical conflict, not necessarily really a conflict rooted in genuine differences between cultures, and then ultimately gets manifested in a cultural fight because we are so short-sighted and so driven by what's in our interest next Tuesday as opposed to what's in our interest in the next decade that we don't have the foresight to do what our forefathers did in terms of providing institutional capacity way beyond what was then demanded.

DR. ALVAREZ: I think you're on the right path. The question is, at what speed to move in that direction?

SENATOR HAYDEN: All right. Before Senator Solis, just if I could add on to that, there's an additional issue. I think most of us are for more space, more universities. It would be helpful to our struggle here if you could come back showing us that you've utilized the existing system as efficiently as possible. I don't want to get into the horrible discussion of whether University of California professors should teach more. I know that just opens a can of worms.

But I don't think Senator Peace would dispute the fact that while we need more campuses, more space, we also are operating -- at least our perception is we're operating below the necessary threshold of efficiency in delivering the service to the students. And I cite no more than President Clark Kerr who came and went as a hero and then used to come around saying, "In my time, we used to do it more efficiently. We'd open the doors. We'd spend longer hours." And his words of only two or three years ago haven't been really listened to. And you're right, the tidal wave could disappear through the manipulation of the admissions process and the nature of the economy, and suddenly all those students will no longer be eligible or turned away because they can't afford it. It's a very dangerous situation.

Senator Solis.

SENATOR SOLIS: I am intrigued by the plan that's offered by Mr. Flacks and Mr. Alvarez. But I wonder, in your framework, did you factor in while you're giving certificates of admissions to students, and your net is broadened and you're going to bring in more students, what kind of financial assistance will also be coupled with that? Because you can't just go out there and bring them in and expect them to say "yes," and then go with the notion that they can't afford to go anyway. And is the university going to make that kind of commitment? I'm just interested if that was factored in your--

DR. FLACKS: We assume that the university is saying that it is committed to the kind of outreach that they say they're committed to officially, will be seeking to meet the need that you're talking about. As a matter of fact, I'm interested in looking at whether instead of simply talking about outreach to schools, increasing the kind of insurance, so to speak, financially for students so they can attend the university, if our sort of plan were adopted, would not be a better course.

SENATOR SOLIS: I guess that's a question for the university because outreach and financial assistance are two different things. Once you reach that campus, and at least from information that I received, financial assistance by the campuses has actually decreased over the years. There's more reliance on outside, federal and state, and that too has been on the decline. So, I mean, we can't get into falsehoods here, is what I'm trying to get at.

DR. FLACKS: Absolutely. There's a real danger that formerly what was scholarship aid for very disadvantaged and poor students is being converted into loans, which are not a way to attract students of low income to the university. So you're raising a very important issue. Of course, the Legislature is implicated in financial support of the university.

DR. ALVAREZ: Two brief responses to Senator Solis' question -- I'm reminded of the Exxon Valdez oil spill -- remember that? Remember that Exxon spent billions of dollars in advertising to tell the American people how much it was doing to clean up the environment. And a minuscule proportion of that, less than one percent, I believe it was, was actually spent in cleaning up.

The university is doing a lot of publicity and a lot of outreach and so on. How much is really going to be actually manifested in admissions, I suspect it's going to be a minuscule proportion of that -- item number one. So we need to do more by way of action rather than talk.

Secondly, very briefly, by my rough calculation, the Alvarez/Flacks proposal would bring about 5,000 new faces that would not otherwise have come to the university. It's a very rough calculation, but so are all the others. I have itemized the basis for my calculation. That's 5,000 out of 26,000 freshman places. That's less than one-fifth. There are plenty of dollars in the assistance budget -- never enough, of course. But in the current assistance budget, by my calculations, there would be plenty to accommodate that 5,000 people. I don't think it would break the bank at this point, to answer your question directly.

SENATOR PEACE: Follow-up, Mr. Chairman.

SENATOR HAYDEN: All right. A question from Senator Peace.

SENATOR PEACE: In your plan, you say 5,000 people, 26,000 spaces. Does that include the contemplation of some of these conversions __________? Are you suggesting just the portion of your plan that would change the admissions criteria?

DR. ALVAREZ: I've factored in that in my calculations.. So I'm saying, if we took the top six percent of each public high school, take some of the suburban high schools -- Palos Verdes or Lowell High School or Beverly

Hills and so on -- some of those would have gotten in anyway. So discounting that--

SENATOR PEACE: But unless you also expand, that's 5,000 folks that are eligible and there's another 5,000 that don't get in that otherwise would have gotten in. And we're right back in the same fight. That's an unwinnable -- I don't care what criteria you use, in the end, unless you expand simultaneously, you're setting us up for a fight no one can win.

DR. ALVAREZ: There's no disputing that ultimately, if you want to educate everybody, you're going have to build in more spaces. But within the current parameters, it would be 5,000 new faces.

SENATOR PEACE: I just don't want to be the messenger that walks over and tells the parents and the kids, "You're the one that's out because this one's in." That's how we got here in the first place.

SENATOR HAYDEN: I share Senator Peace's concern. If you're proposing a zero sum without either increasing the capacity of the university to teach or expanding the number of slots, you're just managing a simmering ethnic and gender geographic conflict.

DR. FLACKS: Senator, the university's own data right now indicate that we're only taking the top 11.5 percent. We are actually not fulfilling our requirement to get the top 12.5 percent. So there's a great opportunity for this kind of proposal to actually achieve the university's stated mandated goal. Whether that requires more space, I think we are hoping there will be more space.

DR. ALVAREZ: There is current space available in some of the campuses, so it's not an issue.

UNIDENTIFIED SPEAKER: It is an issue.

DR. ALVAREZ: In the long term, yes. In the short term, no.

UNIDENTIFIED SPEAKER: No, it's not. So you'll have no illusions, you'll hear it straight from the canary. It is an issue today and it's one of the hottest, most volatile, political issues in the country.

SENATOR HAYDEN: The students out there should also know, because they're becoming burdened like -- how many of you have part-time jobs? How many of you have two part-time jobs? How many of you have a full load? A full load and two part-time jobs, put up your hands.

Now, this is the fact, and if you talk about CSU and community colleges, then more hands would be up. These students have more debt per capita than all of the residents of the former Soviet Union and Mexico combined. That is a fact. That is what you have to deal with. You talk about students going on binge drinking? You try three part-time jobs. I'm telling you, I have tried tuition guarantees, all of us have tried more aid to reduce the financial burden. It is still there and getting worse, and it's eating into middle-class opportunity and aspiration. This is what lurks behind this discussion about how to re-configure the admissions. The admissions controversy is part of a much larger controversy about economics of opportunity, I think.

On that note, I'm going to turn it over to--

DR. FLACKS: I hope the urgency of your remarks is shared by the whole Legislature and not just those who are talking right now, because if so, then we have some real hope for a future. But if not, then we're in a stalemate.

SENATOR PEACE: Well, if it's any indication, over two-thirds of the members of both the Senate and the Assembly have co-authored a resolution supporting the university's acceptance of an eleventh university campus site this year. All you need is the support of the Regents.

SENATOR HAYDEN: All right. I'm going to turn the gavel over to Senator Hughes for the next panel. I believe there's a couple of our colleagues that have questions as well.

Thank you very much. It was a very challenging and interesting panel.

SENATOR HUGHES: Now I'd like to invite Chancellor Raymond Orbach from the University of California at Riverside; Patrick Hayashi, Admissions and Enrollment, UC Berkeley; C. Judson King, Vice President and Provost of the University of California; Professor Keith Widaman, Chair of the University of California Board of Admissions and Relations With Schools.

Now, as we get started, we'll have the same rules and we'll try not to interrupt you before you finish your presentation.

Chancellor Raymond Orbach, would you please, after you make your presentation, join the distinguished members over there, and if you would join Chancellor Young and sit somewhere over there with him, it would make for more space down here. Thank you.

Senator Johannessen has a question.

SENATOR MAURICE JOHANNESSEN: Thank you, Madam Chair. I'm trying to break into the interesting conversation that preceded this panel. I'll preface by saying that I work 10 hours a day, six days a week. I have a wife and three kids, and I went to the university in the days when it was called "college" and not university. There was not quite this hype. I guess that one is called the university today, but--

SENATOR PEACE: Are you a binge drinker?

SENATOR JOHANNESSEN: No. As a matter of fact, I wasn't because I wasn't strong enough after a day's work to do any bingeing at all. So I understand that, but I just want to point out that I think that no one, remembering back how it was, no one should really have to go through that.

No one should. You should be able to go get a higher degree in the university without having to go through that kind of turmoil to do so. And I would certainly suggest, in a state like California, with the financial muscle that it has, especially now that we seem to have money that we have found in the coffee cans, that something is done not only to increase the availability of space by additional campuses -- I know there's a political internal to the UC, for example, that they prefer to have the larger mega-campuses rather than the smaller, perhaps more specialized campuses.

But I do think that a university or college, if you will, education ought to be available for all those that are capable and qualified to do so. And the financing should not be the criteria. And I think that the aid and assistance that they should get ought to be there, because if you don't do that -- if you do not do that, then you will automatically exclude a substantial amount of people who otherwise could make some great contributions to our society. And I hope that in the match and mix that we are trying to do, that that funding is available and the availability of space is there as well. I am not ready to say "take at all cost." They need to meet certain criteria, which means we've got to do some serious thinking about what we're doing in the high schools, because the university is not the place for remedial work.

But nonetheless, I think that those that are qualified should be able to come into the university or colleges that we have and that they will be a great benefit to our society if we do so. And I think that we better work in that direction because no one should have to work two or three jobs, be married or whatever the hell happens to be, and trying to carry a load. To be honest with you, and I didn't mean to say much about this, but when I went through, I can guarantee you, my grades wasn't the best because I didn't have time to do anything but support my family.

SENATOR HAYDEN: Thank you, Senator Johannessen.

The next witness, Mr. Orbach.

CHANCELLOR RAYMOND ORBACH: Thank you, Senator Hayden.

I am Raymond L. Orbach, Chancellor of the University of California, Riverside. I'm honored to be invited here and to share with you today's information about UC Riverside's undergraduate admission process and our focused program of outreach which has, again, resulted in a wonderfully diverse group of admitted freshmen.

Opportunity and access have always been important values at UC Riverside. I am proud of the campus' historic commitment to holding open its doors to all students eligible for University of California admission. Eligibility is limited to the top 12.5 percent of California's high school graduates. That is an extraordinary group of students. Their excellence, combined with diversity, marks the special nature of our campus. We have a great sense of responsibility, for these students are the best and the brightest. They will be the leaders of the future of our state and nation.

But our job is not yet complete. Even our current success does not mirror the population of this state. Add to this the nearly half a million more students in California who will be seeking a college education by the year 2005 and you have a perspective of just how difficult is our challenge.

Before I review the results of our admission cycle for the fall 1998 freshman class, allow me to begin with the UC Riverside story. First of all, we are a tier-one campus. Over the last decade, our campus enrollment has grown by 51 percent to nearly 10,000 students. Our enrollment growth over the last year alone -- 9 percent was fueled by a 44 percent increase in new freshmen. Today, African American students comprise 5.5 percent of all of our undergraduates, Chicano and Latino students 20 percent, and Native American students one percent.

The results of UC Riverside's 1998 admission cycles are encouraging. This spring, we offered admission to nearly 9,000 UC eligible high school seniors, a 25 percent increase over last year. This year's cohort of regularly admissible freshmen saw African American students increase by 33 percent, Asian American by 10 percent, white students by 11 percent, Chicano students by 47 percent, Latino students by 32 percent, and Native American students by 76 percent over last year. Academically, they are among the highest achieving students in their communities. It is a fantastic group of students that any university in the nation would be thrilled to attract.

UC Riverside's success in admitting a diverse pool of potential freshmen is a direct consequence of an innovative array of outreach efforts to help more students, particularly those from disadvantaged backgrounds, become eligible for University of California admission. It is also a testament to the remarkable efforts of our region's public schools, their students and their parents. Together they have raised the region's historically low UC eligibility rate percentage-wise more than any other region in the state of California -- a 35 percent increase for Riverside and San Bernardino counties, according to the California Postsecondary Education Commission, comparing the state's 1996 high school graduates with those of 1990. That's Figure 2 in my testimony. CPEC found that 8.1 percent of high school graduates are fully eligible for UC admission, compared with 6 percent in 1990. While these eligibility rates are still well below the 12.5 Master Plan target, and where we want to be, it's a dramatic improvement.

UC Riverside's coordinated efforts are anchored by Early Academic Outreach, which reaches more than 8,000 students in some 80 junior high and high schools -- a 41 percent increase over last year. Our program counselors work closely with students, their parents, and school counselors to provide information on college preparation, workshops on college entrance exams, tours of our campus, and seminars on the admission process and financial aid. For high school seniors who graduated in 1997, 62 percent of those who participated in UC Riverside's Early Academic Outreach Program were UC eligible.

Three years ago, we developed the booklet, *Keys to Your Future* (a copy of which you have) -- a pathway to the University of California that assists students and their parents in preparing for UC admission. This booklet, with versions both in Spanish and English, tells students and parents what is expected, beginning with the 4th grade, in order that they can become UC eligible. It is a template against which they can compare the educational opportunity provided by their schools from the 4th to the 12th grade.

Keys to Your Future also addresses the financial aid issue and shows students that, regardless of family income, they can afford to come to UC Riverside, graduate in four years, not incur debt, independent of family income. More than 73,000 copies of the booklet have been distributed to students in schools statewide. We accompany distribution by visiting high schools, middle schools, school boards and community groups. We present to students, parents and school officials the reason why the highest quality university education is important and how to get there. Our traveling team, including me, utilizes simultaneous translation through infrared earphones to those who prefer Spanish to English. I personally attend these presentations, many to communities with a high proportion of disadvantaged students. And I speak frankly about what is required to get a UC education. The reception by everyone, independent of ethnicity or gender, has been enthusiastic and committed. All of our communities are hungry and they recognize the only way up is through education.

Vital to our success have been the generous efforts of our own students, UC Riverside ambassadors who return to their high schools to share their college experiences and inspire students to pursue higher education. As role models, these ambassadors serve as our most effective messengers. Their diversity encourages others.

Outreach efforts do not end after students have applied and been admitted. Each March and April, our campus hosts a variety of activities to further familiarize students with the high quality academic programs and personalized attention offered at UC Riverside. This spring, I personally hosted eleven welcomes throughout the state for students who were admitted to our campus. These events give students and their parents a glimpse of family life from myself, our students, alumni, parents and faculty. The themes that are presented are that UC Riverside is a campus with a personal touch, we care about students, we're a campus of top quality faculty and academic programs, and UC Riverside is a place where students can have some fun.

Admitted students also attend one of the two "Discover UCR" events held on campus in April. These events are held on weekdays so that students and their parents can experience an ordinary day in the life of UC Riverside. Close to 700 freshmen participated in the events this spring.

We're also building for the future through a variety of school partnerships and direct involvement with pre-college students. Our School of Education directs the California Educational Research Cooperative, a partnership between UC Riverside and local school districts, to conduct research addressing critical challenges facing schools. The University Eastside Community Collaborative provides direct service to at-risk youth from UCR student volunteers. That program has reached more than 1,400 youth with after-school tutoring and enrichment activities. Over 300 have worked after school in our campus in a structured, paying and supportive environment. And this year we have worked with the bottom quartile of the middle school students through an AmeriCorps grant which the university received. We've just received a grant from the National Youth Sports Program which will bring over 250 students from the schools to our campus for a program this summer.

We are hopeful and optimistic that our outreach program and the campus' continuing partnership with schools will continue the diverse student enrollment in the 1998-99 academic year that we have experienced in previous years and beyond. However, even with our wonderful increase in underrepresented minority admissions this year, they represent only 24 percent of our total admissions. This hardly argues for complacency. We have a lot of work to do.

I thank you for giving me this opportunity to present the wonderful news coming from our campus.

SENATOR HUGHES: Thank you very much for your testimony. Now we will hear from Patrick Hayashi, Admissions and Enrollment at UC Berkeley.

SENATOR JOHANNESSEN: Madam Chair, before we do that, may I?

SENATOR HUGHES: Yes. Sure.

SENATOR JOHANNESSEN: This is one that, as you recall, on previous meetings we have used this -- you have submitted this.

One of the things that's interesting about this -- I'm wondering, for example, in Northern California -- basically, of course, I represent this up the valley. I have eleven counties and it goes from the Bay Area to the Oregon border, so there is a tremendous amount of distances. A substantial number of those counties, our unemployment rate of 15 to 30 percent. So I'm wondering if the university outreach will make much headway, inasmuch as you're talking about very little representation really to the university from that region.

And the reason I suspect is there's no really proximity to a university that will give the emphasis to the students in the high school. There's not that interaction that makes it an almost automatic thing that you think about going to the university as soon as you get through high school. You won't have that nexus, if you will, from these areas. And I'm wondering if the problem by proximities of universities, as well as the financial aids, that obviously are going to reach people when you have that kind of unemployment. Because the people that I talk to on this issue say, "Well, what difference is it if I do great in high school? What difference is it if I beat myself to death in high school, get good grades and everything else? I don't have the money to go anywhere anyway and there is not a university close enough for me to attend; so therefore, my financial burden is going to be much greater because I have to move. I have to get some job. It starts the merry-go-round -- why do I bother?"

I wonder if there's some study that's been made on that that will indicate why, whether I'm right or wrong, but why this is happening.

CHANCELLOR ORBACH: Senator Johannessen, that's one of the most terrible aspects of the situation -- that parents and students are discouraged before they even start. We, within the University of California through the generosity of the Legislature and its actions last year, have been able to structure a financial aid program -- which I've given you a picture of -- which we believe responds to that and gives families an opportunity to look forward to coming to the university. It's a three-way split. Students are expected to work. They have to provide between $5,500 and $6,000. That's the blue portion of that curve.

Each campus is different. At UC Riverside the total cost of living on campus and being a student is $12,500, and what you will see is that the yellow bar is grant aid. We've packaged our financial aid so that for a family with zero family income or sometimes even negative, that a student, through their contribution and through the University of California, state of California and the federal government, can receive sufficient grant aid to pay for a year of study. And then if you'll look along the axis, you'll see that as the family income goes up, the yellow bar goes down, and the family is expected to contribute according to the federal guidelines. That's the figure in parenthesis beneath the bar. The sum of those three adds up $12,500 -- the cost of a year.

It's very hard for families to understand that. When we go out into the Coachella Valley, we find that many families just don't believe it. The problem is that they have been so victimized by loans and loan sharks that they simply are unaware that grant aid is available. And so part of it is simply telling the story. Now, it means that all three components contribute: the student, the university, state and federal government, and the parents, according to their income. But it's so structured that those blue bars, you'll notice, are all about the same height, and that means that no student is disadvantaged relative to another on the campus because of parental income. They all are expected to contribute the same amount. This creates a level playing field in the university which is very important for student respect and for achievement.

Getting the word out is terribly important, and I don't think the university has any stronger responsibility than to go to the schools of the sort that you describe, and make clear to the students, the parents and the school district that the University of California is a place where they can come.

SENATOR HUGHES: Thank you. All right, Mr. Hayashi.

MR. PATRICK HAYASHI: Thank you, Senator Hughes. My name is Pat Hayashi. I'm the Associate Vice Chancellor at the University California at Berkeley. I'd like to introduce my colleague, Mr. Bob Laird, who's the Director of Admissions and Relations With Schools.

All of you are familiar with the challenges Berkeley faced this year. Over 30,000 students applied for freshman admission. We could accept only 8,250, or less than 28 percent. To choose that group as carefully as possible, we completely rewrote our admissions policies. We eliminated the use of simple formulas, in particular, we abandoned the use of the Academic Index Score, which gave great weight to the SATs. Instead, we reviewed each applicant in a comprehensive individualized way.

In developing our new policies, we rejected the notion that merit could be defined in a uni-dimensional, easily quantifiable manner. In our new policies we looked at course taking patterns and patterns of grades rather than the student's overall GPA. We completely changed the way we looked at test scores. We de-emphasized them. We looked at test scores in light of a student's language and economic background, and used that information to illuminate the information we had on the courses they took and the grades they earned. We also looked at each applicant's achievements in terms of the educational opportunities he or she had been offered at his or her high school.

Mr. Tellalian raised a question, and the answer is the student who took three out of three possible advanced placement courses would have been preferred over the student who took three out of fifteen. In other words, we looked at achievement within the context of the opportunities afforded to the student.

Most importantly, we looked at each applicant's achievements in terms of his or her own personal context, including socioeconomic status and the challenges that the student had faced.

Our goal in this process was to recognize that not everyone is dealt the same hand; rather, that the opportunities and challenges afforded California's young people vary widely. We hoped that this approach would allow us to make better informed decisions and, to some extent, mitigate the effects that Proposition 209 would have on the racial diversity of our class. We knew, however, that the competitiveness of our admissions pool would make this latter goal difficult. Now we know just how difficult.

This year, for example, we received 13,696 applications from students with a 4.0 GPA or above. Of this group, less than 10 percent were underrepresented students. We received applications from 19,293 students who had scored a 1200 or above on the SATs. Of this number, less than 8 percent were underrepresented students. We also knew that preferences for economically disadvantaged students would not result in large numbers of underrepresented students being admitted. For 1998 we received roughly 5,200 applications from students whose family income was below $30,000. Only 28 percent of these applicants were underrepresented students. In other words, even among low-income students, underrepresented students were outnumbered 3 to 1 by whites and Asians.

For these reasons, we had predicted that the prohibition against the use of racial preferences would result in a sharp reduction of black, Hispanic and American Indian admissions. In fact, these groups, as a percentage of the admitted freshman class, went from 23.1 percent in 1997 to 10.4 percent in 1998. This represented a 54.7 percent drop. We don't know how many will enroll. We are trying very hard--

SENATOR JOHANNESSEN: Madam Chair?

SENATOR HUGHES: Yes.

SENATOR JOHANNESSEN: Is this at one campus? I want to get this clear. Or is this the overall average?

MR. HAYASHI: Senator Johannessen, I'm speaking for the Berkeley campus.

SENATOR JOHANNESSEN: Okay. Because my understanding is that from an overall standpoint it isn't those figures. I want to make sure we make that clear because they have raised substantial increases in other campuses which may counteract what you are talking about. I just want to make sure we make that clear.

MR. HAYASHI: Thank you.

We are trying very hard to get these students to enroll.

SENATOR PEACE: As long as we've broken the continuity, I just have one quick -- on one of the issues specifically. You said that you shifted in terms of the AP issue -- course taking -- which I found to be very, very interesting and compelling in terms of demanding a different way of approaching AP courses. But I can't help but be stricken by the solution here being as bad as the problem. If you now are going to turn around and penalize kids who happen to be going to schools where they offer 15 AP courses and they "only take three" or they "only take five" versus those who took all three, I think that's just as bad a result as the prior result. I think the bigger problem is the whole flawed concept of AP courses contributing to a grade inflation environment where you've got to get to 4.0 to even be considered.

MR. HAYASHI: We will be looking at that this summer.

SENATOR PEACE: That's a good thing.

SENATOR HAYDEN: What do you mean?

MR. HAYASHI: Our intent was to look at a student's achievement within the context of the opportunities. And our intent was to see if a student had not taken advantage as compared to his or her classmates with the opportunities in the high school; that that student would not receive the same degree of consideration as another student who had taken full advantage of those opportunities. How that worked out we're going to examine this summer.

SENATOR PEACE: You know, there's a social context to this too. I mean, as a parent, we're killing these kids. We sit there and we force these kids to go in and take all this full load of AP thing. As a parent, if I could undo one thing in my own oldest child's schooling, it would have been to have him take fewer AP courses. And he did fine, like I said, but you know what? It wasn't worth the psyche price. I mean, at some point we've got to put this whole competition in educational context in context to the rest of life. We're just contributing to this imbalance and irrational kind of human beings we're concocting out there. I mean, these kids have got to have lives too.

MR. HAYASHI: I worry about what you're describing, which is akin to a curricular arms race, and I worry about that a lot because one of the things that we see of not only students who are applying to Berkeley but students who arrive at Berkeley is that they're on a treadmill--

SENATOR HAYDEN: High speed.

MR. HAYASHI: Right. And it's very, very hard for them to develop the habits of mind to cultivate their curiosity and their creativity. I think this is a very, very serious problem. I agree with you completely.

SENATOR HUGHES: All right. Would you--

MR. HAYASHI: Let me talk about what the numbers portend for Berkeley. On March 31st, Chancellor Berdahl described his response to our numbers as "a mixture of disappointment, anger, frustration, hope and resolve." I think many people at Berkeley share those feelings. I know that I do. I believe we're facing a future in which much of what we hold most dear about Berkeley is being diminished. We know that the many very well qualified African American, Hispanic and Native American students we have denied have other choices. We worked hard to have students apply to many UC campuses and we hope that they will attend those other UC campuses. Many will choose private universities. Some will leave the state. Wherever they go, we know that these students will prosper and succeed.

But we at Berkeley will be greatly diminished by their absence. The quality of the education we provide and the vibrancy and spirit of our community are both affected. Nor is this simply Berkeley's problem. I believe our state will suffer if students who are denied after overcoming the overwhelming odds against them take their denial letters as a signal that there is little point in even aspiring to attend Berkeley or UCLA.

And certainly, as Chancellor Berdahl pointed out in his inaugural address just ten days ago, the university and the state both suffer when the racial composition of all UC campuses, including its more selective campuses, bear less and less resemblance to that of the state's population. This year, blacks, Hispanics and American Indians made up a little more than 50 percent of the state's K-12 enrollment. At Berkeley, they made up a little more than 10 percent of the freshman class we admitted in 1998. If current trends continue, it's difficult to see how we can avoid having that gap widen. And if the disparity continues, I cannot imagine how Berkeley can expect or deserve both public support and affection.

So we know that we must find ways to narrow the gap and over time close it all together. At Berkeley, our first step, which we have already begun, is to make sure we thoroughly and deeply understand exactly what happened in our admissions process this year. And we have begun an open review of our process and our policies. Our goal in this review is simple: We want to know if there is anything about our process that inadvertently contributed to the decline in diversity among admitted freshmen. And we want to know whether there is anything we should change. In addition, we will look seriously and openly at all of the suggestions others have made for how we might improve our process.

I want to emphasize the seriousness of our commitment. We know that this is not the time to defend our process, explain our good intentions, or point to the ways that our hands have been tied. Rather, this is the time to use the experience we have gained in conducting an entirely new process, to improve it as much as we can, or to again make fundamental changes in policies if that is what is needed.

In addition, I believe that this is also the time to renew our statewide discussion about the role of the University of California in educating the leaders of our future. Last November, CPEC issued the findings of its most recent eligibility study. That study found that of the approximately 20,000 black public high school grads, only 2.8 percent, or 560, achieved UC eligibility. The numbers for Hispanics were also very low: Only 3.8 percent, or 3,200 of the 84,000 public high school Hispanic graduates, had achieved UC eligibility. This means that of the 272,000 public high school grads, less than 1.4 percent, or 3,800, blacks and Hispanics were UC eligible.

Anyone concerned with the education and the future of the state must be disturbed by these numbers. These numbers say that there is something profoundly wrong with our society, with K-12 education, and with the University of California. I simply do not believe -- I refuse to accept that there are only 560 black public high school grads who are capable of doing UC level work.

These numbers mean that we must do a much better job in outreach. Both the university and the Berkeley campus are again increasing their commitment in this area. At the university and the state level, these numbers also mean we had better re-examine the basic architecture of our eligibility criteria.

Professor Widaman will tell us today of the change his board is considering, and I believe that these are important first steps. But we know that they may not be enough, and I can assure you that the Berkeley campus will continue to look for new strategies and new solutions.

Thank you.

SENATOR HUGHES: Mr. Hayashi, what are the preliminary results of the underrepresented students who were admitted? Are they accepting?

MR. HAYASHI: We will not know for about another week-and-a-half. We simply don't know.

SENATOR HUGHES: Can you let me know when you find out?

MR. HAYASHI: We will certainly know. We have tried to call each and every one. And Chancellor Berdahl has made several dozen phone calls himself. I've made a number of phone calls.

SENATOR HUGHES: This is a real sticky question that I'm going to ask you and I hope that I don't embarrass you. As you share with the committee at this time, could you share with us the current status of one of the witnesses that will be coming up here in the student panel, Angel Malone's case, and let me know -- I'm sure you're acquainted with her case. Are you?

MR. HAYASHI: Yes.

SENATOR HUGHES: And would you share it? Because the panel, you know, the group of people sitting up here don't know the case. I'm just vaguely familiar with the case. Tell us what her status is. She has applied to your campus, is that not correct?

MR. HAYASHI: I believe Angel will be testifying later, so she can--

SENATOR HUGHES: Well, what's the likelihood that she would be admitted? -- before she testifies since this is right on target. This is an example of the kind of situation that we're talking about. I don't want to preempt her appearance, but I want you to tell us what was the problem with her admissions and is it going to be rectified? In what direction is it going in? Because this is specifically the kind of thing that we're trying to find out about.

MR. HAYASHI: Angel obviously was a very, very strong student and prior to Proposition 209 would almost certainly have been admitted. She was among several thousand students who were denied and she has appealed. Her appeal is currently under review. I can say that Angel and I rode up together to this hearing and she had one of the most extensive interviews ever conducted. She did not know that--

SENATOR HUGHES: Well, if I'd had known that I would have had the plane packed with the other students too.

MR. HAYASHI: And I have to say that I was impressed and charmed by Ms. Malone.

SENATOR HUGHES: All right, thank you. I think that's as far as we'll go with that.

A question from Senator Hayden.

SENATOR HAYDEN: Thank you for your very direct and courageous testimony.

A few minutes ago Mr. Forbes, who I believe was associated with Native American Studies -- and those numbers are rarely referred to, even though the first two governors of the state of California endorsed a policy of extermination, that was their words -- Mr. Forbes made this argument, and I just want to get your response to it, that in turning down 800 students who had 4.0, and I believe he said were African American or Latino, the rejection has to do with this term "competitiveness." I'm not sure how it crept into the vernacular of higher education, maybe you can explain that, but it seems to reference these AP courses that Steve Peace mentioned. And just to paraphrase, I think that what Mr. Forbes was saying was that there's a disproportionate racial impact here apart from intent and that it's unconstitutional. It's against the State Constitution, which explicitly references diversity and inclusiveness, and the university as a public trust. And I'm not asking you for a legal opinion, but what's your response to the argument that intention aside, the effect of this system is to have disproportionate racial impact?

MR. HAYASHI: I know that the number of AP courses offered in the western states has increased tremendously over the last three or four years, and that the concentration of those increases have been in the schools that already offer them. In other words, the distribution of opportunity with respect to AP courses has been becoming increasingly skewed. I believe, aside from the concerns that Senator Peace articulated, which I share, I believe that that raises a serious equity question and imposes a number of responsibilities on an admissions process.

We, as I described, tried explicitly to take that into account in our review process. Whether or not we were successful will depend on our examination of exactly what the results were, when we look at it and see if AP courses may or may not have had an undue weight.

SENATOR HAYDEN: I'd very much appreciate seeing the results of that. Might I also ask you, just for the record, to define competitiveness and how it came to be part of this discussion? Did we legislate that term? Did the Regents adopt it? Where did that term come from?

MR. BOB LAIRD: I think it's built into the notion of selection criteria for campuses that receive more qualified applicants than they can admit.

I wanted to add to Associate Vice Chancellor Hayashi's comments that we actually, and I'm not bragging about this, denied 7,200 applicants with 4.0

GPAs and above, and that included the 808 students who are African American, Native American--

SENATOR HUGHES: Would you please announce your name into the mike for the purpose of the recording? Thank you.

MR. LAIRD: Yes. My name is Bob Laird. I'm the Director of Undergraduate Admissions at Berkeley.

SENATOR HAYDEN: And if I could just ask you again, what does competitive mean? It's this Darwinian notion. I don't understand how it's measured. This is among super-achievers, I assume.

MR. LAIRD: Well, yes and no.

SENATOR HAYDEN: How do you define it?

SENATOR PEACE: Someplace between 4.0 and 5.0, and 1200 and 1600?

MR. LAIRD: It's not defined only by grades and test scores. It's defined by everything that the student has presented to us in the file -- academic and non-academic information. Certainly, as Pat has said, with 30,000 applicants for 8,000 places, it is extraordinarily competitive.

SENATOR HAYDEN: What does it mean?

MR. LAIRD: It means that we're going to look at the academic achievement of all of those--

SENATOR HAYDEN: What does competitive mean? More able to get out of Berkeley with a degree? More able to compete for the presidency of the United States? More able to make money in life? What does it mean to a starving student who wants to be an artist, for instance?

MR. LAIRD: I would say that it means a combination of students who have achieved the most, given their particular set of circumstances, and who will bring the most to the freshman class at Berkeley.

SENATOR HAYDEN: Well, with that definition, you're acknowledging it's an entirely subjective concept.

MR. LAIRD: I wouldn't say it's entirely subjective. I would say that we do not have--

SENATOR HAYDEN: It's a judgment call.

MR. LAIRD: Yes. But professional judgment based on defining criteria by the faculty that is worked out through a fairly careful norming process and careful quality control for consistence over the judgments made by our readers.

SENATOR HAYDEN: But based in large part on opportunities for "achievement," more available to some people than others.

MR. LAIRD: I wouldn't agree with that, Senator. I would say that when we look at what students have done outside the classroom, we don't have a fixed pattern of extracurricular activities that we think all students should have done. And we weight with equal consideration in our process the student who has worked 20 hours a week throughout high school and who has joined no clubs with the achievement of a student who has been student body president and perhaps editor-in-chief of the yearbook. Those are not mutually exclusive levels of achievement.

SENATOR HAYDEN: Is there a committee that plows through the 30,000 applications?

MR. LAIRD: Yes, there is. We have a reader committee of 52 people.

SENATOR HAYDEN: Do you have a breakdown by geography, ethnicity and other factors of the reader committee?

MR. LAIRD: It's highly diverse. There are--

SENATOR HAYDEN: Yeah, but can you just submit it for the record though?

MR. LAIRD: I can't do it by memory with perfect accuracy, but I--

SENATOR HAYDEN: No, I mean in a letter to the committee.

MR. LAIRD: Absolutely. Certainly.

SENATOR HAYDEN: And do you still have that committee that was described as kind of a back channel for VIP admissions by the critics, and others described it as the Chancellor's "discretionary committee?"

MR. LAIRD: Yes. There is a committee called the Admissions Review Committee.

SENATOR HAYDEN: And how many students were admitted this year under those criteria?

MR. LAIRD: Three students have been admitted to the spring semester and one transfer student to the fall semester.

SENATOR HAYDEN: And what's the percentage of student athletes in the student body?

MR. LAIRD: It's probably about 7 percent, I would say, undergraduate.

SENATOR HAYDEN: Overall student body?

MR. LAIRD: Yes.

SENATOR HAYDEN: Okay. Thank you.

SENATOR PEACE: Mr. Chair? The question raised by a previous associate with AP courses and suggesting that perhaps the fact that these courses are offered in an uneven manner throughout the state may constitute an inherent discriminatory pattern of behavior on the part of the state, and as a consequence be in violation of the admissions policies, it's interesting not only from the admissions perspective, I believe -- you know, but first thing, you need to familiarize me -- were AP courses originally conceived as a methodology to qualify students for the AP exam for purposes of advanced placement, correct?

MR. LAIRD: Yes.

SENATOR PEACE: In other words, having taken and completed their high school course will then allow you to take a test that meant you didn't have to take a given course and you got the college unit credit, correct?

MR. LAIRD: Correct.

SENATOR PEACE: And then from that point, it evolved into actually giving bonus points in the grade point average for admissions purposes, correct?

MR. LAIRD: Correct.

SENATOR PEACE: And many universities throughout the country don't accept those bonus points, particularly private universities. They may or may not accept for the advance placement tests, and they may or may not accept the bonus points. Is that correct?

MR. LAIRD: Correct.

SENATOR PEACE: In addition, it seems to me -- and I had not heard this contention until the hearing today -- it seems to me to be extraordinarily compelling from a legal perspective, when you don't have the same menu of courses offered at every single campus, you're clearly, no matter what selection criteria you ultimately use -- the old one, what you did this year -- there's obviously inherent differences. Is there not, though, if one accepts that premise, with respect to admissions even a perhaps more troubling discriminatory pattern that is associated with the economics of how much it costs to go to the university? Because if, in fact, I'm able to access more advanced placement classes and thus qualify for AP tests, and I can test out of the courses, I've just reduced my cost of going to the university, not only from the standpoint of how much I've got to pay for the units, but also, I'm going to graduate early into the economics system making money sooner.

MR. LAIRD: If you wait just a couple of minutes I'll be addressing that in my comments.

SENATOR PEACE: I made the mistake of thinking for myself. That's a common malady around here. I'll wait and be told what to think later. Go right ahead.

MR. LAIRD: Senator Peace, I would like to say that it's important to make clear that in the Berkeley process this year, we looked at the course list for each of the high schools that our applicants came from, and as Associate Vice Chancellor Hayashi has said, we looked at what was available to students and what use they made of that. So we did not inherently penalize students for not having large numbers of honors courses if they were not available in their courses.

SENATOR PEACE: I understand that. And I didn't mean to imply -- of course not. I just meant to make the generic comment that ultimately, as long as you have this system in place, no matter what methodology you use, somebody is going to feel they're treated unfair and probably with some merit. This goes to the chairman's point with respect to it being a judgment call. I used to have the same problem at UCSD, as well as Davis my first two years, and so it's a common malady.

I also would like to point out to the chairman that when he metamorphizes into a baseball uniform and gets us on a baseball field, he has no trouble at all understanding what competitiveness means.

SENATOR HUGHES: Now you're telling family secrets.

Now, maybe we could hear from C. Judson King, the Vice President and Provost of the University of California.

Thank you.

MR. C. JUDSON KING: Thank you very much, Senator Hughes. My name is Judson King. I'm the Provost and Senior Vice President for Academic Affairs of the UC system. Provost is a somewhat arcane word, but I hasten to tell you that it is a medieval term meaning "recipient of copious advice," and I feel greatly fulfilled so far today.

My comments will have to do with admissions. I would be pleased if I could also tell you about our outreach efforts. I'm glad that Chancellor Orbach had the opportunity to do so. And before beginning on the admissions I have one other thing I would like to say to Ed to his remarks on outreach, and that's to express thanks to you, Senator Hughes, for joining with Speaker Villaraigosa in recording the public service announcement spot that encouraged students who had been admitted to attend UC. We provided these announcements last month to 500 radio stations statewide, and I'm sure that they have sent a strong and positive message. And we are hopeful for a payoff from that. We thank you for your support on that.

My remarks today will fall into three categories. First, I will address the Master Plan and some factors that affect the admission selectivity on different campuses. Secondly, I will describe what has happened since the earlier admissions data that you have seen. And third, I will talk about the ethnic distribution of those admitted to the UC system. There is a table that you have, or will have, copies of. You do not have to read it unless you want to, and it's there if you want to. It does summarize the final admissions results for the UC system.

I will speak to the topics I've stated, and Professor Widaman, who will follow me, is the chair of the Academic Senate Committee, the Board on Admissions and Relations With Schools. He will talk towards admissions criteria and towards the changes that they are contemplating recommending for the future.

Reports so far on UC admissions have tended to focus on admissions at certain campuses, and what I would like to do is place these in a universitywide context since our admissions processes and policies are specifically designed to ensure placement of all academically eligible students somewhere within UC. To admit all UC eligible students to at least one campus of the university is a commitment that we have under the Master Plan and it is one that we take very seriously and fulfill.

We do this by carrying out admissions in two stages. In the first stage, individual campuses admit students from among those who have applied to that campus. At the end of that first stage, there is still some UC eligible applicants who have not yet been admitted to any campus. And therefore, there is a second stage of the admissions process in accord with the Master Plan, and in that second stage we admit all these remaining eligible students to a campus. This year, six of our campuses participated in that second stage process. Berkeley and UCLA admitted extra in the first stage.

Through the '70s and the early '80s, UC eligible applicants did not encounter substantial problems in getting admission to a particular campus that they wanted, or a particular program on that campus, since most campuses were able to admit all eligible applicants. The situation has changed considerably over the past 15 years. And in recent years, only Riverside and Santa Cruz have had the capacity to admit all UC eligible students applying to them. The remainder of the campuses cannot do that. Additionally, there are striking differences among the campuses and the ratio of applications to available spots. And this leads to a concept we call the admit rate, which is--

SENATOR HAYDEN: Excuse me. If I might. I think we know the admissions policy, but you've just delivered these statistics to us.

MR. KING: Yes. And I will refer to them subsequently in my remarks.

SENATOR HAYDEN: If you could get there, I'm having a hard time understanding the right side of the chart from the left.

MR. KING: Okay. Well, I will give you an explanation of the chart. The top row in it, which says UW is universitywide. That is what is called unduplicated admissions. That means each applicant is counted once, even though they may have applied to three or four different campuses.

SENATOR HAYDEN: And what's the right side of it?

MR. KING: Then you have an entry for each campus below that--

SENATOR HAYDEN: Now, on the right side.

MR. KING: Then proceeding across this chart you have a breakdown by ethnicity. And so the first such column is American Indian. The actual number of those admitted. Then the percent that that is of the total. Ditto for African American. Ditto for Chicano. Ditto for Latino.

SENATOR SOLIS: What's the difference between Latino and Chicano? How do you differentiate that?

MR. KING: Chicano of Mexican ancestry.

SENATOR SOLIS: So is that Mexican American--

MR. KING: Mexican American ancestry.

SENATOR SOLIS: --or someone who emigrated from Mexico and then resides here? Is that also part of that category?

MR. KING: Yes. However, I would point also that it's self-identification. So the student is left with the mental process of deciding what they would want to identify themselves as.

SENATOR PEACE: So you provide each of those boxes on the form and it's whatever they choose.

MR. KING: We provide codes and they enter the code corresponding to what they believe they are.

SENATOR SOLIS: But you are aware that right now, currently, there are many young people of Spanish decent who note themselves politically as

Latinos, and yet may be born here in California, parents are Mexican American. How do you distinguish that?

MR. KING: We leave it to the student to distinguish.

SENATOR SOLIS: Because I know that there are some campuses who will somehow give them less points if they are documented as Latino, as opposed to Mexican American.

MR. KING: I don't believe so.

SENATOR SOLIS: In some programs. This has happened. I know this is a fact.

UNIDENTIFIED SPEAKER: Not anymore, given 209.

SENATOR SOLIS: But it was a practice. It was a practice.

SENATOR HUGHES: You know, this is very much like the census too. You are what you say you are, and nobody checks on it.

MR. KING: That is completely what it is.

SENATOR SOLIS: And the only reason I bring that up is because I had two sisters apply to Berkeley and they were both denied because they put "Latino," when in fact they are Mexican American and were yet enrolled at UCLA thereafter. So there was a discriminatory process. It was not, how could I say, verifiable at the time. It's unfortunate, because just think of how many other students were affected.

MR. KING: Anyhow, going on across, it is the various ethnicities and the percent that that number is of the total.

SENATOR HAYDEN: Let me ask a question and see if I understand it. May I, Madam Chair?

SENATOR HUGHES: Yes. Go right ahead.

SENATOR HAYDEN: All right. So this is your final breakout of admitted freshmen by ethnic distribution.

MR. KING: Yes.

SENATOR HAYDEN: I'm going to set aside my categorical objection again to white, because the Irish weren't white until they were brought here, but that'll be fought out in other forums in its very devastating category. But this seems to show the exact same number of American Indians -- is that correct? A decline of African Americans.

MR. KING: This is universitywide we're looking at now?

SENATOR HAYDEN: Yes. Universitywide.

MR. KING: Yes. That's correct.

SENATOR HAYDEN: That's the new news. A decline of African Americans. A decline of Chicanos. A decline of Latinos. A decline of Asian Americans. A decline of white/other. And an increase of "decline to state."

MR. KING: Yes. And a slight increase in the total.

SENATOR HAYDEN: A total of what?

MR. KING: Of all those admitted.

SENATOR HAYDEN: Right. So there's still 6,000 "decline to state." Universitywide is how--

MR. KING: A very large increase in "decline to state."

SENATOR HAYDEN: Right. But how many are there systemwide, total? Admits.

MR. KING: Admits, 45,000.

SENATOR HAYDEN: Okay. So 6,000 "decline to state" out of 45,000, and the rest is as I read it?

MR. KING: Yes.

SENATOR HAYDEN: All right.

SENATOR JOHANNESSEN: How do you explain that jump -- 1,630 to 6,446 "decline to state?"

MR. KING: Well, we don't have an explanation that we would be willing to stand behind. There are several things that could contribute. One is just the preferences of people as to what to do. And another would be--

SENATOR JOHANNESSEN: Maybe we're starting a new era where everybody calls themselves an American.

MR. KING: Yes. There are also some who are multi-racial who would choose that category. And it happens also that the form this year had that question in a different location, and it is possible that was a less obvious location and therefore drew some none answers because of that.

SENATOR HUGHES: And it's also possible and probable that many students who might have been admissible didn't even bother to apply because they thought that they wouldn't get in. Is that not true? Is that not the reason that we were appealing to students to come if they get an acceptance, to take up that opportunity and come and not go elsewhere?

MR. KING: Yes. Very much so. We seek those students.

SENATOR HUGHES: Yes. That's the way I understood it.

Okay, would you proceed?

MR. KING: Okay, I will get back to that table in a moment. Let me finish my point on the admit rate which is the percentage accepted by a campus from all those who apply to a campus. And this admit rate is indeed the ratio of admissions to applications and the applications will include some people who are ineligible, or who didn't finish their application enough for us to know whether they're eligible. That's why it's always less than a hundred percent. But the admit rate for the university, as a whole, was 72.8 percent through the first stage of admissions. That was what was completed at the end of March. The admit rate for Berkeley, by comparison, was 26.8 percent. So a far lower percentage of those who applied could be admitted by the capacity of the campus. And some other numbers, the admit rate for Davis was 66.4 percent, the admit rate for Santa Cruz was 77.3 percent.

Thus, there's a very substantial difference among campuses and applications pressure, and there is also a substantial difference in the various measures of academic high school accomplishment. And for the highly impacted campuses, notably Berkeley and UCLA, most of the applicants do have extremely high qualifications, as you've heard from Associate Vice Chancellor Hayashi.

Now, the second stage of the admissions process -- what we do to make sure we accommodate and do offer admission to all eligible students. We start with a Stage 1 process that allows students to apply to as many different campuses of the university as they wish. And the average for this year was 2.9 campuses that an individual student applied to. We encourage them to apply to multiple campuses and for good reason: It increases their chances of admission. All of our campuses do provide outstanding undergraduate educational experiences. And for fall '98, this year's admissions, we further increased our efforts to deliver that message, especially to disadvantaged students.

One way we did this was that President Atkinson personally wrote to 13,000 perspective applicants from low-income, underrepresented minority and rural backgrounds, inviting them to apply to UC and to apply to several campuses. And of course, relating to the same, is the public service announcement that I mentioned earlier.

SENATOR JOHANNESSEN: Madam Chair, if I may? When someone comes to -- well, I'm assuming they want to go to a certain campus because they happen to have a program which is most beneficial to what they intend to do in the future. If someone applies to Berkeley, will they then be directed, or will their application be forwarded to the other universities to see who can accommodate?

MR. KING: Only through the second stage of the admissions process that I'm about to describe, but it's not--

SENATOR JOHANNESSEN: In other words, if you don't pick them up on the first stage, would it be too late for them then to be applying--

MR. KING: No. If they have not been admitted to at least one UC campus in the first stage of the process, then they will be allocated to a campus in the second stage.

SENATOR JOHANNESSEN: Well, let's assume you have limited space, which you do have. Will they be late in then coming into the second? For example, if you were to say, "Okay, these are all we can take at Berkeley," will you then forward their application to Santa Cruz? And by that time, they get to Santa Cruz, is it too late?

MR. KING: No, it's not too late. What we did this year is -- I will describe -- as of the end of March, all of the first stage admissions had been completed. We knew what students we had who are eligible who had not yet been admitted to a campus. During the first two weeks of April, we admitted those students to UC campuses. And as I said earlier, six of our campuses participated in that process. We also put some direction onto that process. We tried, in general, to match applicants with campuses in which they had already expressed interest, and campuses that would give geographic proximity so they wouldn't have to go away, a long distance in order to go to college at UC.

And so this second stage is what is added to the results, and that is what is new about the table that I have passed out. We have gone from 72.8 percent overall admissions to 75.5 percent admit rate. And we did it by admitting 3,179 additional UC eligible students. Of those, about half, 1,571 -

for the fall, and then in the cases of the Berkeley and UCLA campuses, we made some admissions for the winter and spring of 1999. A slightly delayed admission to use the space that would be provided by the fact that we had had some graduations during the fall. And that would therefore open up more space.

Okay. I'd like to go on and say a few words about the ethnic distribution of the admitted freshmen, and that does refer to this table. Again, the top row is the unduplicated data for the system, and by codes that I think are fairly obvious, the eight general campuses are the following rows in this table. And for each campus you see the fall '98 results and the comparable fall '97 results. And also indicated a few moments ago, by different ethnicities, both the absolute numbers and the percent of total proceeding across the table. On the very right side is another way one might calculate it, and that is to take the "decline to states" out of the total and calculate a percentage that way. So that percentage is there too. But all the other percentages are with the "decline to states" in there.

First, please note that the percentage of underrepresented minority students -- that's American Indian, African American, Chicano, Latino -- admitted is 15.5 percent for the university as a whole, and that compares with 17.5 percent of the total represented for fall '97. That percentage does vary across the campuses, ranging from a high of 21 percent of those admitted -- actually, 21.2 percent of those admitted for Riverside -- to lows of about 10 percent for Berkeley and San Diego. All the other campuses, you will notice, range from 12.5 percent to 16 percent of the total admissions for that campus being underrepresented minorities. The range among campuses is about the same as for fall 1997, but there has been a significant re-distribution within the campuses as can also be noted.

Now, our campuses have just recently completed very intensive efforts, including the public service announcements, to encourage admitted students to accept our offer of admission. We will not know, as Pat Hayashi said, the results of these efforts until the latter part of May, and then we shall be able to tally the responses from our admitted students. And when we have that we will make that information available.

We very much hope that all of our efforts, beginning with the invitation to apply multiply to UC, and with the various recruitment efforts of those admitted, will yield the type of freshman class we hope for. And that is a class that in addition to being very well qualified academically, which UC standards set as a necessity, will also bring to our campuses the rich variety of experiences, backgrounds, and cultures that encompass California's rich diversity.

Thank you.

SENATOR HUGHES: Thank you, Mr. King.

SENATOR JOHANNESSEN: Madam Chair? This is an issue that I think is not only interesting but I'd like to get a handle on because it has a lot to do with what we do and try to do, I think. When you say the "decline to state" went up, it probably it looks like about four or five times the percentages of the total in which you are referring to. The '97 is 17.5 and '98 is 15.5.

MR. KING: Yes.

SENATOR JOHANNESSEN: Wouldn't that be skewed by the fact that you have such a difference in the "decline to state?"

MR. KING: Yes, it is. And one way of trying to approximate for that is that very right-hand column, which just takes the "decline to states" out of the total.

I might say something a little more about what we know about the "decline to states." That's been the subject of considerable speculations in the press and elsewhere. It is possible to get some information, but only some information, by comparing our records with those of the College Board. But one gets only partial information and therefore not of high precision that way.

We believe that the "decline to states" are somewhat less underrepresented minority than the applicants as a whole and the admissions -- those admitted as a whole. But there is considerable uncertainty in trying to know that because of the lack of data.

SENATOR JOHANNESSEN: But from the best that you can estimate, you're about even --'97, '98 is about even.

MR. KING: If one leaves out the "decline to states," that is correct.

SENATOR JOHANNESSEN: Right. And if you then say that the "decline to states" -- in your opinion, would you consider the possibility, or at least entertain the idea of the possibility, that a minority will be more likely to put down "decline to state?"

MR. KING: Well, this is something that I think is such a complex question that one could entertain any possibility and I--

SENATOR JOHANNESSEN: I'm asking for your expert opinion inasmuch as you provosts know all that.

MR. KING: Well, being trained as an engineer, I would want to look at the data. That would answer the question for me. And what I'm saying is the data do not have sufficient precision to enable us to take this one apart.

SENATOR JOHANNESSEN: But one could take that point of view.

MR. KING: One could.

SENATOR JOHANNESSEN: Thank you.

SENATOR HUGHES: All right. Thank you very much.

Now, Chancellor Young, I want to thank you so very much for coming out of retirement and being with us today. And I think you probably have the clearest vision of anybody in this room today because you're not attached any longer. Would you like to make a statement? You have nothing to lose.

CHANCELLOR CHARLES YOUNG: This is a very brief coming out.

Thank you very much, Madam Chair. I would be tempted to say a lot of things, but I'm going to focus only on one, and this has to do with the notion of "what is competitive," that Senator Hayden was raising. I think it's an important concept. Anytime you're choosing among more people than have an opportunity to get in to what it is you want, that you're in a competitive process. So this is competitive by its very nature.

And I want to say that I mean it very sincerely when I say that I know all of my colleagues, former chancellors, with colleagues -- the chancellors, both new and those who were there when I was still a chancellor, and most of the Regents and the members of the faculty, and especially those in responsible leadership positions, in fact, they're doing everything they can to try to remedy the situation which was created as a result, first of all, by the passage of SP-1 and SP-2 by the Board of Regents, which was then enshrined in law by Proposition 209 -- a majority of the Board of Regents, not including Mr. Brophy.

I think one of the major problems that we faced in trying to defeat SP-1 and SP-2, and then trying to defeat Proposition 209, is the feeling on the part of those who were proposing 209, that this was like some kind of athletic competition on decathlon in which you toed up points and those who score above a certain level get to go on to the next level of the event, which looks upon this as a selection based upon the competition of individuals. And I think what was not understood was that the selection of the students who attend the University of California, or who attend the California State

University system, who attend Harvard University, or Princeton University, or Stanford University, is a selection which ought to be as concerned with the needs of society as it is with the achievements of the individual. And that's what we're not now able to consider. And society is going to be the worst for Proposition 209 having been passed.

Each campus of the university is going to be -- the UCLA -- people say often, "Well, what does it matter? Students who can't get into UCLA can get into Riverside." Maybe the students will be as well off, but UCLA and Berkeley will not be as well off. UCLA and Berkeley will have a student body that looks more like the student body of 1955 than the student body of 1995. And the students who are going to UCLA, and are going to be going to Berkeley, are not going to be as well educated in the total sense as they would have been had they been educated in the years before the passage of Proposition 209. There's no question but the students who have graduated from UCLA and Berkeley in the last 10 or 15 years are far better educated than were the students who graduated 25 years ago. A lot of that is improvement in quality. A lot of that is better facilities, and so forth and so on. But the most important difference is that they were being educated in a setting in which they had as their fellow students people from all walks of life, people from all races and ethnicities. And an education for a multi-cultural, multi-ethnic society is best done in a multi-cultural, multi-ethnic environment.

The university is going to struggle and work very hard and, to some extent, overcome the problems which have been created, but it is never going to be able to overcome them fully unless we re-examine the concepts which resulted in the passage by the Regents of SP-1 and SP-2, and by the people of the state of California and Proposition 209.

And I thank you very much for having me.

SENATOR HUGHES: Thank you very much for coming. All right.

SENATOR JOHANNESSEN: Madam Chair, a question, because this is history. Are you suggesting that the education which I received in the ancient days were less than that which you receive today? I object to that.

CHANCELLOR YOUNG: Well, I'm sorry, Senator. I do believe that. It's clear to me that the education--

SENATOR PEACE: Never make the mistake of taking Senator Johannessen too seriously.

CHANCELLOR YOUNG: It's clear to me that the students that were educated at UCLA under the last few years of my chancellorship were a lot better educated than I was when I was there -- in part for that reason.

SENATOR JOHANNESSEN: Well, I went out with the slide rule, so that's okay.

SENATOR HUGHES: Do you have anything, Regent, that you'd like to say before you depart? I'm not going to let you off the hook either. Come on, you have five seconds.

MR. RALPH OBLIELO: Senator, I was very happy to be here and I would urge all the panelists to pay very focused attention to Dr. Widaman. He and I have had discussions and disagreements in the past, but we had a chance to visit earlier, and I think he'll really bring the discussion and the objective of the discussion to a real focal point.

Thank you very much.

SENATOR HUGHES: Thank you.

SENATOR HAYDEN: I'm sorry. I had one question. I have to step out to see an individual on another matter so I may miss your testimony. I hope it's in written form.

DR. KEITH WIDAMAN: It's the second time you've ducked out just when I was going to talk.

SENATOR HAYDEN: I'm ducking into something just as bad as this. But I wanted the opportunity to ask Mr. King and yourself the simple question, what are you going to do about it? I didn't hear--

MR. KING: There are, I think, two ways to answer that. One is what Professor Widaman will tell you about the proposed changes in the eligibility requirements being put forward--

SENATOR HAYDEN: Well, no. My question was what are you going to do about outreach? We're waiting to fill in outreach. Are you going to support Mr. Hayden's service learning bill? Are you going to support Senator Hughes' legislation? Are you going to do something about the SAT? There's references in this article by President Atkinson: "We could find ways to help less affluent students afford SAT preparation." He says, "We could lessen the current emphasis on the AP classes."

DR. WIDAMAN: That's all in my testimony.

SENATOR HAYDEN: All right. So you're the man with the policy. You're going to tell us the policy?

DR. WIDAMAN: You got it. Yes, right.

SENATOR HAYDEN: I'll be right outside that door listening while I'm talking.

SENATOR HUGHES: And he has it in writing for you.

DR. WIDAMAN: I guess I'll have to speak very loud.

SENATOR HAYDEN: I'm going to talk to David Freeman about power and I'll be right back.

DR. WIDAMAN: My name is Keith Widaman. I'm Professor of Psychology at the University of California, Riverside and Chair of the Board of Admissions and Relations With Schools.

And a couple of off-the-cuff remarks -- I would like to say that I happen to agree with many of the things that were said by previous panelists, but I disagree on some issues. And I really wish we had the chance, although the chance will not be now, to discuss certain issues, i.e., the utility of the SATs in predicting performance at the University of California. In fact, despite claims to the contrary, our data show that for certain ethnic groups, the SATs are the single best predictor of college performance. Those ethnic groups happen to be Chicanos, Latinos and African Americans. SAT scores are better predictors of their college performance than their high school grades are.

Also, if you include both grades and SAT scores in equations, it reduces the bias in prediction of their grades over simply using grades alone. That's not the topic of my talk, but there's a lot of hearsay evidence that's been put on. I've done research on it. I have data from those who enrolled at the university in 1996 -- over 20,000 students. And I have analyses that are not germane to today's proceedings but provide some evidence instead of just hearsay. At any rate--

SENATOR JOHANNESSEN: Madam Chair, a question. There's a lot of talk about getting rid of the SATs and whatever, changing it. Are you saying then that the SAT, as it is being used today, is then a good indicator and ought to be left in place as we now--

DR. WIDAMAN: At the present time, it's the best single standardized test we have to predict student performance. I've talked a lot with Eugene Garcia, who's the head of the Chicano/Latino Policy Project, and he's asked me about the SATs because they thought the SATs should be banned. And after I showed him some of my data, he said, "Well, it looks like we need that now, but the Golden State exams, if those are developed." And I said, "My committee would be more than happy to consider shifting from the SAT to the Golden State exams, not immediately with no data, but after data are collected. And if the data show that the Golden State exams are at least as predictive as the SAT, we'd be more than happy to switch to them."

SENATOR JOHANNESSEN: What is the difference between the two? I'm not familiar with that one.

SENATOR HUGHES: The Golden State exam is something I started.

SENATOR JOHANNESSEN: Then I will know about it shortly, I guarantee you.

DR. WIDAMAN: And it's based more closely on the California curriculum than the SATs, which is more a national curriculum.

SENATOR JOHANNESSEN: As for right now the SAT -- that argument is not valid.

SENATOR HUGHES: Well; he doesn't agree that it should be thrown out, and I say it should be looked at as an alternative, to have some alternative to the SAT, and he agreed he might look at it.

DR. WIDAMAN: Well, I agree. And I think we ought to research the issue, and I think we ought to have data to speak to it.

SENATOR HUGHES: I'll talk to you privately about that.

SENATOR JOHANNESSEN: I will get educated, I know.

SENATOR PEACE: Can I ask a statistical question? You've studied and tracked the results, at least to a limited extent, for a particular group of kids.

DR. WIDAMAN: Yes.

SENATOR PEACE: And these are amongst all the kids who were admitted, right? This did not look at those who were excluded.

DR. WIDAMAN: That's right.

SENATOR PEACE: Okay. What's the difference statistically in the -- I don't know how you define success, whether you define it in terms of drop-out rate, grades, graduation, or whatever -- but whatever you use to success, do you have enough information to tell us in bands of test scores, GPAs, what the statistical difference is between the lower qualifying student and the middle qualifying student? I mean, I'm going to accept presumptively that the 1600 SAT score and the 4.5 GPA has some sort of significant statistical success rate above the 3.7/1150 SAT score. But what about the difference between the 3.5/1100 SAT score and the 3.7 and 1210 SAT score?

DR. WIDAMAN: I don't have those data with me right now. I know that -- and for the SATs because they're on a different scale, it would take me a few minutes to work it out with some of my printouts. I know that with grades, the weight for high school grades is about .5. So if a person has a 4.0 grade point average in high school, and another student has a 3.5, that's a difference of 0.5 in their high school grade point average, and the equation shows that they would be separated by .25 points in college. So it's not a trivial difference. But for SATs, I don't have it, and that is a bit beyond what we were supposed to talk about today. I'd be happy to figure that out.

SENATOR HUGHES: While you said SAT again, why is it the University of California is the only public university that requires the SAT I and II? Why isn't "I" just enough? That was the reason I brought up your possibly looking at Golden State exams. Why not have one test? Why do you have the "II?" And what does the "II" tell you that the "I" doesn't tell you?

DR. WIDAMAN: Well, in fact, the Golden State exam is not a single test. Right now the SAT--

SENATOR HUGHES: I know. It's a subject matter test. Remember, I told him, I'm the one that started the whole thing.

DR. WIDAMAN: Right. And there are plenty of them. So students would eventually take about as many tests under the Golden State proposal as under the SAT. Now, in fact, I happen to be a strong supporter of the SAT II as opposed to the SAT I. I base that partly on the form of the tests, as well as on their validity in analyses. The SAT II tests were called achievement tests in the old days when I was going to school. And as achievement tests, both the writing or English test, instead of being solely multiple choice, as the SAT I verbal test is, the SAT II has a writing sample in it. For the math part, on the SAT II, students actually work out problems, and if they fail to get the right answer at the end, they still get partial credit for setting the problem up correctly. So both of them require work samples for partial credit and so forth, and it's much more like what students are doing in college.

The statistical end is when you try to predict performance at the university, if you put both SAT I scores in and SAT II scores in the same equation, the SAT II scores come out about two to three times as heavily weighted as the SAT I scores, so they're more valuable in the prediction process. And as a result, one of our recommendations will be that when we set up an index that we make sure that we include the SAT II scores in there and maybe weight them substantially more heavily than the SAT I.

SENATOR PEACE: As one who's more predisposed to believe that a testing criteria is an important part of the admissions process, let me say, though, on the other hand, all of your analysis is inherently flawed because it fails to look at the students that didn't get in. And so it really isn't meaningful to what we're looking at.

DR. WIDAMAN: Well, it's not flawed, it's limited.

SENATOR PEACE: Well, if it's limited, it's flawed.

SENATOR HUGHES: No. It justifies why the students didn't get in.

SENATOR PEACE: For me to draw broad conclusions from a limited study would be a mistake for me to do. And so for our purposes it's flawed. Now, you raised it so don't get cranky when I ask you a question about it.

DR. WIDAMAN: No. That's fine, but in my testimony I will be talking about a--

SENATOR PEACE: You know, I can always tell an addicted college professor because they cannot stand having to have any kind of interchange. They're so used to lecturing and grading that the idea of having interchange is insulting to them. Now, I apologize for insulting you. I just meant to ask you a simple question and--

DR. WIDAMAN: No, that's not it.

SENATOR HUGHES: Well, let me explain to you, the reason for his behavior, he's a UC graduate, okay?

DR. WIDAMAN: No, actually, this session has taken so long that I really have to go to the bathroom, and I'd like to give my testimony--

SENATOR PEACE: Well, if I were chairing the committee I'd invite you to go and stay there.

DR. WIDAMAN: Oh. Okay.

SENATOR HUGHES: I told you he's a UC graduate, and I apologize for his behavior. I'm not responsible.

Would you please try to complete your statement because I don't want you to have an accident.

DR. WIDAMAN: Okay. Thank you very much, Senator Hughes.

SENATOR JOHANNESSEN: Understand, we go through this all day long. You don't know what it is like.

DR. WIDAMAN: The title of my presentation is "Proposed Changes in UC Eligibility Criteria to Increase Educational Access for Students Across California." Very, very briefly what I'm doing today, and I'm glad there's at least one Regent still present, is I'm unveiling a plan to -- I guess, it's the most radical re-definition of eligibility criteria at the University of California in the last 30 years. Before I unveil what we are suggesting doing, I'd like to mention what we currently do.

What we currently do is base eligibility primarily on grade point average in A through F courses and on SAT scores -- the SAT I scores. If your grade point average is 3.3 or above, you simply must present the scores. If your grade point average is between 3.29 and 2.82, you must attain a comparable SAT score. So the lower your grades the higher the required SAT. In fact, over 91 percent of the students who become eligible for the University of California are eligible by grade point average alone. Their grade point average is 3.3 or above. Approximately 8 percent are eligible via the sliding index combinations of grades and test scores. And less than half of one percent are eligible by test scores alone. Those are the three paths we have right now and all of those paths are attained by students. We define the top 12.5 percent of a statewide pool, and that's the way things have been done for the last 30 years.

The proposed changes are to provide two tracks to eligibility. The first track I'll call right now "superior academic performance in local context" -- the context of the individual high school -- spurred by various proposals made by various people, including Senator Hughes. We are proposing for consideration -- and we will be making a presentation to our Board of Regents a week from this Thursday -- we're proposing that students who demonstrate superior academic performance in the local context of their individual high school be considered for admission to the university. Students designated in this way, or identified in this way, would be termed UC Merit Scholars.

We're proposing the following guidelines. Because we want to ensure balanced progress through the courses -- right now, we have a course pattern that we call A through F courses that stipulate 15 courses that must be completed during the high school curriculum. We are stipulating that 11 of those 15 should be completed by the end of the junior year. That the pattern of courses will probably be at least partially specified, so that if four years of

English are required in high school, at least three of those courses should be completed by the end of the junior year. Three courses in mathematics must be completed by the end of high school. We may require that either three or two would be required to be completed by the end of the junior year and so forth.

An A through F grade point average would be computed on courses taken in the eleventh and twelfth grades. Courses taken in the ninth grade would count toward the 11 course requirement. The grades in those courses would not be included in the computation of the GPA. That's what is currently done. To prevent too many ties, we propose that pluses and minuses be used in GPA computation. Currently they are not used. We would like to have them used because it seems like we're throwing away valuable information.

Policy regarding the use of extra grade points for honors and AP courses will be consistent with general UC eligibility requirements. At present, there is very strong sentiment on board as to either reduce substantially or eliminate the extra grade points for honors and AP courses. I personally have railed against the extra grade points for honors and AP points for three years on the committee. And now I have data, that we've done analyses, to look at the predictive power of the extra grade points that are added when people take honors and AP courses. The extra predictive power is substantially less than the predictive power of the usual grade point average that naturally caps at 4.0. And these analyses suggest that either reducing that extra credit substantially or eliminating it completely would be appropriate. In fact, people who take at least AP courses triple-dip at the present time. They get extra grade points added into their grade point average. They get credit for having taken those as an extra criterion for taking honors and AP courses. And they also get college credit for the courses. So there's at least double and triple dipping going on. And I believe that the proposal we will give to the Regents is that we will give no extra grade points for honors and AP courses.

To break ties in GPA--

SENATOR JOHANNESSEN: I've got a question. If you do not do that, wouldn't you discourage the students in the high school to participate in certain programs, or to excel in certain areas perhaps outside the academic--

DR. WIDAMAN: The grade points were originally given to encourage students to take honors and AP courses because they are the most rigorous curriculum. That was the reason the extra grade points were given. But in fact, in predicting their performance at the University of California, the extra grade points don't have the same value. We would still encourage them to do that and there is still -- right now we have nine academic criteria. The pattern of honors and AP courses that people take is one of those criteria. They can get credit for all the honors and AP courses they take under that criterion, but it seems ludicrous to let them double dip and also add it into their grade point average.

SENATOR JOHANNESSEN: Okay. The other portion that you were mentioning was the amount of English and whatever preparatory work, and I agree with that in high school because you're not a remedial institution. However, recognizing that that educational path starts very early, not in high school -- that starts usually down at grammar schools and so forth, so as you're coming up you get the ability to learn and all the rest of the kind of stuff that goes in. Do you have any idea of the phase-in period that will be necessary in order to give these people a chance? In other words, if your program is adopted, it isn't done overnight. I mean, it's something you are going to have to have a certain phase-in period.

DR. WIDAMAN: It does take some time to phase this in, but if this were approved it could affect the incoming class of fall 2000. There's nothing to keep that from happening.

SENATOR PEACE: There is so much potential unfair consequence to this. I mean, let's just look at both sides of the equation. I agree with your assessment of AP stuff, as much as I tend to be more inclined to agree with your assessment on SAT scores -- despite your dissatisfaction with the way I chose to agree with you. The problem with making these mid-course corrections is that kids who have made choices about taking AP courses do so at some risk. A high percentage of kids that may go out there and battle over the B, B+, B-, C, whatever, in terms of that AP class, could skate through an A, very often, in the college prep class.

Now, if you think you've got a lot of unhappy folks out there now, wait until you make a mid-course correction change and you end up getting a whole bunch of kids who crafted their high school curriculum based on what you told them when they became high school sophomores, freshmen and sophomores and suddenly graduated, and you change the rules mid-course; and they find, because they took a bunch of AP courses that they got B's in, or C's in, that would count as B's, you know, a whole different standard, and now all of a sudden they don't get any of those extra points. I mean, we're going to have this hearing all over again with a different set of parents and students out there behind us. I don't envy your position in terms of this. I just caution against precipitously changing entrance criteria when you've already -- you have, in my view, in essence, a contract with these kids who are mid-course. If it were a business environment and you changed the terms of that contract you'd get sued.

DR. WIDAMAN: This proposal that I'm talking about right now is a proposal for consideration of performance within the context of the individual high school. This will be the purview of the individual high school. We propose that they identify the top four percent of their students currently as these UC Merit Scholars, and they use criteria approved by us. And certainly in doing so, we would be happy to work with the high schools in doing so. What we're trying to do is level the playing field a bit, and what would happen under our proposal is performance would be considered within the context of the high school.

SENATOR PEACE: So you'd only not use AP for this top four percent purposes?

DR. WIDAMAN: Well, the phase-in period is something that must be discussed. The soonest it could be phased in would be 2000. It might be more reasonable since grades are only counted in tenth and eleventh grade, if it were phased in one or two years later.

SENATOR PEACE: I think that's wise. The second element in this, I heard you indicate you're going to be more prescriptive about the order of courses and--

DR. WIDAMAN: Only that. There was some concern that if we have 15 courses and those consist of four of English, three of math, two of laboratory science, two of foreign language, two of history/social science, and two electives, that students might elect to take easier courses during their sophomore and junior year and then leave hard courses until the end. And we would be prescriptive of balanced progress through the units so they would not be able to skirt the difficult courses.

SENATOR PEACE: I agree with that to a point. However, one of the unfortunate consequences of -- and it's the Legislature that's pushed the university as much as the university, so I'm not pointing fingers here -- but as we've heightened the criteria in terms of mandatory courses, both for high school graduation and for UC or college eligibility, you also diminish the opportunities for kids to take other kinds of courses that may ultimately prove to be pivotal in terms of their life decisions about what kind of vocation or avocation directions they want to go. And the more you push that out so that the only opportunity they have to find out whether they want to take an art class, or whether they want to take a music class, or they want to do a drama class or theater or band or a computer technology class, that doesn't help them in terms of their UC criteria, and you push all those options into the senior year, we're creating a bigger -- I mean, the world does not begin and end with people that go to the University of California.

DR. WIDAMAN: We're only asking for balanced progress through the courses. Currently, we require that students complete 15 courses. That's approximately four a year. And we're assuming that they will take four of those during their senior year. If that's the case, they would have to complete 11 by the end of their junior year. We're only asking for balanced progress through the courses and a balanced consistent progress.

SENATOR PEACE: My experience is under the current requirements. Before you do any of the balance, it was already difficult for a student that wants to preserve their opportunity or option to go to the university under the normal criteria to even consider taking the risk associated with doing some of these other classes that may be computer oriented, or art oriented, whatever it may be. It's tough.

DR. WIDAMAN: Well, at any rate, this does constitute no change at all in our A through F requirements and the total that must be completed in four years.

SENATOR PEACE: It must constitute some kind of change, otherwise you wouldn't be saying, "This is what we're going to do different."

SENATOR HUGHES: All right. A question?

SENATOR HAYDEN: Did I miss anything?

SENATOR HUGHES: No. The world stopped when you left the room.

SENATOR HAYDEN: There seemed to be some episode.

DR. WIDAMAN: Yeah, you missed something. I'll tell you about it later.

SENATOR HAYDEN: But it sounds like we're on the same track. I wanted to echo Senator Peace's concern from another perspective and ask you to respond.

I like all of these proposals by the four percent, six percent -- is it, Senator Hughes? Are you at twelve? Are you coming down? But I like the idea.

SENATOR HUGHES: Hey, I may go higher as they get lower.

SENATOR HAYDEN: All right. I do like the idea of each high school because I do think it picks up some unrepresented. However -- I don't know whether this is a political comment or substantive -- if you don't expand access to the University of California for the tens of thousands of people who are excluded who get between a 3.7 and a 4.2, you have a social explosion, not defused but increased. And no, this is a dirty little secret.

Here's how it works. I represent this spectrum. I can see it in my district. If you have each high school, right? -- it means the schools that are majority Latino, for instance, will get their four percent, six percent, or whatever, and so will Beverly Hills and other parts of my district. And then the parents, the middle-class parents, will blow their lids because we haven't dealt with racial perception. And the perception is -- and this is why Senator Peace and I will not be baseball coaches, because we can't deal with the parents -- we can barely deal with the voters -- but here's what they're thinking and not saying. They're saying, "You can't tell me that my kid, who's at the seventh percent in Beverly Hills High School, isn't better qualified than the kid that got in on the four percent in that 'inner-city' high school." And then they go berserk.

Now, you don't want to go there.

DR. WIDAMAN: One of the nice things about this proposal is that no student who is currently eligible would be made ineligible by this plan.

SENATOR HAYDEN: Well, what does that mean?

DR. WIDAMAN: Currently, according to the recent CPEC eligibility study, only 11.1 percent of the graduating seniors were eligible.

SENATOR HAYDEN: Now I heard -- Mr. Flacks said that before but--

DR. WIDAMAN: And our best guess estimate is this plan will make another 1.3 or 1.4 percent of the students eligible, leading to 12.5 percent of the students eligible across the state.

SENATOR HAYDEN: Well, you go out and tell everybody that. But I want you to walk into the people you're telling, not issue a press release. I want you to get their reaction. And it isn't going to do you any good.

There's no time for blame here. We are on a catastrophic course of denying opportunity at the same time that the demand for opportunity is expanding. And all you're doing is re-shuffling what some people consider to be unfair, rearranging the boxes so that other people will think it's unfair. And when you mess with middle-class families, or the families of working poor people's kids, it's worse than messing with people's guns. And that's what we're doing.

SENATOR PEACE: You know, we ought to just take the cloak off the statistics. You know darn well what's happened over the last decade in California schools. The impact of Asian students has perceptually put pressure on "white" students, and Prop. 209 is a fundamental reaction of the perception of "white" parents that their "white" male kids aren't going to get into school, and you aren't going to do anything other than fan the flame of that perception if you don't expand the size of the universe. And look as an asterisk to that--

SENATOR HAYDEN: We all are.

SENATOR PEACE: We all are, that's right. You in the big picture context. Does anybody realistically believe that we live in a world in which the percentage of our students who, in terms of being useful in the workplace as adults, the percentage who ought to be the beneficiaries of university level education ought to be determined by a 1968 statute? Does anybody believe that makes sense, that in 1968 if 12.5 percent should have university education, and we look at the changes in the job market, that it ought to still be 12.5 percent?

I know that people like Irwin Jacobs at Qualcomm -- President of Qualcomm and formerly associated with the university -- certainly doesn't believe that. I know that virtually every CEO and business executive I've spoken to doesn't believe that. On the contrary, I've got people telling me the exact opposite. The people that have the jobs and the pulse of where the jobs are, are telling me we need something more like 25 percent of graduating students having that level of education and training in order to be competitive in an international environment, because that's where our job opportunities are going to be. I mean, we're out here fighting over something we ought not even be engaged in.

SENATOR HUGHES: Well, we can't address that in this hearing. I think it just expresses the frustration that all of us feel at this point in time.

SENATOR PEACE: I'm going to disagree with that, because on the contrary, I think that is the heart of the question posed by this hearing. If we ultimately accept the notion that the answer to the question which you are responsible for putting before us, and to your credit are responsible for putting before us, which is how do we properly evaluate admissions criteria, if we are to assume that 12.5 percent is the sociological box in which our decision is to be made, we are doomed to give the wrong answer. No matter what our answer is, it will be wrong. And 5 years from now, 10 years from now, 20 years from now, 50 years from now, people who judge our conduct will see us as fools. It's that simple.

SENATOR HUGHES: All right. I hope you have concluded your remarks because if you had to go to the restroom before, you should really have to go now.

DR. WIDAMAN: I do want to say that the determination of the high achieving students within the school context we are hoping will be based sufficiently well without ties so that four percent can be identified on the basis of grades alone, so that this will constitute, very much, the natural experiment that Alvarez and Flacks had asked for. And we've gone the further step beyond what I think anyone else who has any percentages. We're currently sending out a letter to the schools announcing that we are strongly considering this and asking them to be partners in this endeavor.

SENATOR HUGHES: Thank you very much. And I hope that the outreach is more reaching than it has been into the public school system. And that teachers in public and private institutions and parents get the act together.

Now let's hear from the real people. I thank you very much. Now I want to hear from the students. We have only two students on this -- "Students Speak Out About Admissions Process" -- and these are students involved in the University of California. Angel Malone from Berkeley High School, Alejandra Garcia, University of California from Riverside. If they would come up please.

Oh, would you like to say anything, Regent Brophy? Because you have made a really courageous move that is recorded in the history of this controversy. So I could not allow you to exit without giving us the benefit of your thoughts at this time.

MR. ROY T. BROPHY: They'll be very brief. I really came here to listen and learn, and I have learned a lot of things. Many of the things that I have heard certainly justifies and reinforces my belief that we can't go on with this. 209 may be the law, but I've been working and giving speeches on a variety of things which leads me to believe that this is only a momentary blimp in the road of life.

What you're doing here today is very, very important. It's important to all of us, and important to a lot of the people that voted for 209 too, to understand there's more to the problem than simply pulling a curtain behind you and voting your prejudice. That's not what education is about.

SP-1 eliminated everything on affirmative action when there were some things maybe not good, but they weren't all bad. And the same thing is true with what 209 did to us. And I applaud and I appreciate what you're doing here today, and I intend to keep vocalizing my support for something better than what we have today.

Thank you.

SENATOR HUGHES: Well, thank you very much for being willing to come here and participate.

Oh, look at the hands. They're pushing you to the heavens.

Thank you.

All right. Angel Malone.

MS. ANGEL MALONE: My name is Angel Malone and I'm a senior at Berkeley High School, and I come from a single parent home, but I still found time to volunteer at many of the elementary schools in my area and two of the hospitals locally. I was a cheerleader for three years. I had a job for two years. And I was also president of my class, and I presided on the government for all the years that I was in high school. And throughout that, I also maintained a 3.4 GPA throughout high school. And I applied to UC Berkeley and I was denied admission.

I'd just like to say that AP courses are not a fair assessment of what students can -- allowing that being a part of what you can do, allowing that being a part of what is considered when you turn your application in is not a fair assessment. I come from a high school where there's a population of 2,700 students, and there are only four courses of 30 students allowed in each AP class. And if hundreds of students are racing for those positions, then you can only imagine how many students are put on waiting lists, how many students want to be in those classes, how many students can't be, how many students go take the test, get into the position where they can take the class, but then are unable to. And there are just so many things that go into earning grades that are not taken in consideration when you apply to a UC.

And the SAT scores -- that one test -- what is that? One test. You go throughout high school, you earn your grades, you do the best that you can the entire time you're there, and you take one test and that's supposed to say, "Oh, well this is where she should be. This is where he should be. This is what this person can do"? Neither of those are fair assessments for admission into UCs.

SENATOR HUGHES: Why is it that you think more students don't want to attend the less competitive UC campuses?

MS. MALONE: Because when you prepare to go to medical school or graduate school, you want a name behind you. You want the flagstaffs: You want the Berkeley, you want the L.A. behind you, instead of the Riverside or the Santa Cruz. You want to be able to say, "I went to Berkeley, I went to

L.A., and I took the most challenging courses at the most challenging school and I still received the grades that I received."

SENATOR HUGHES: What is your aspirational goal? What do you want to do?

MS. MALONE: I want to be a psychiatrist.

SENATOR HUGHES: So you want to go to medical school?

MS. MALONE: Yes, ma'am.

SENATOR HUGHES: Have you thought of what medical school you want to go to yet?

MS. MALONE: No, I haven't.

SENATOR HUGHES: So you may want to go to UCSF, right?

MS. MALONE: It's a possibility.

SENATOR HUGHES: Or Davis. Or San Diego.

MS. MALONE: Well, that's possible, but there are more -- it will possibly be a private school, a private medical school. You know, when you go to your doctor, you don't know where your doctor graduated from. You really don't, but you have faith--

SENATOR HUGHES: I look at his wall at his diploma, or her diploma.

MS. MALONE: But you have faith that your doctor has received the best education that they could have possibly received. So you want someone who has gone to one of the best higher institutions that there is.

SENATOR HUGHES: Okay. In your opinion, why do you think more underrepresented students don't qualify?

MS. MALONE: Because there's not a--

SENATOR HUGHES: You went to a good high school that has a great reputation.

MS. MALONE: Yes, I did. But it all starts in elementary school. I went to elementary school, junior high, and high school in Berkeley. There are a lot of programs in Berkeley that help you along the way, that push you towards going to college. But you have to be motivated yourself. But there also has to be someone there to say, "Okay, this is the road that you need to take." Like myself, I succeeded, you know, in elementary school and junior high. When I got to high school, I knew that good grades were what was going to get me into college. But without Rory Bled, who is the college advisor at Berkeley High School, if she hadn't looked into the computer and saw that I was a student who was achieving and needed someone there to tell them what the process is, then I wouldn't be here. I'm here because I have earned the grades that I have and there was someone there to push me towards applying to a UC. Because personally, after Prop. 209 came into place, I was like, "Well, I'm not going to get in, why should I apply?" But there was Ms. Bled saying, "Try to not necessarily look at race, but look at other things to help you get into the college. So you should still consider where," I've always wanted to go, which is UC Berkeley.

SENATOR HUGHES: All right. Alejandra Garcia. You're a student at University of California, Riverside.

MS. ALEJANDRA GARCIA: Yeah. Good afternoon. My name is Alejandra Garcia. I am a first year student at the University of California, Riverside. If it wasn't for the outreach that I got from my parents, I wouldn't have been in the university.

Both of my parents migrated into this country 25 years ago. My dad lost his job 20 years ago and now is working at a minimum wage pay. And my mother is also working at a minimum wage.

The good thing about my parents is that they both supported me and I also got the outreach of the Early Academic Outreach. I also belong to a program called Upward Bound, which every week we had to meet with them to practice for our SATs, go through our A through F requirements and things like that.

When I was applying to the universities, I applied to Berkeley, to Riverside and Santa Cruz. I was denied admittance in Berkeley, but I was accepted to both Riverside and Santa Cruz.

Before I got accepted to these schools, I was very afraid since they showed affirmative action was going on. I didn't want to apply anymore, but my counselors told me, "No. You have to apply. At least take that risk of applying." So I did. I went to the University of Riverside and I talked to a counselor, and she went through my A through F requirements, if I had everything. She went through my SAT scores, all the AP classes I took. She tried to evaluate them for me so I could get admitted. And luckily I did, but I was amazed that I did.

And right now, my experience at UC Riverside has been a great one. I still help. Now I work with the Early Academic Outreach Program. I work in the office, not mentoring, but I see all the transcripts coming in. I file them, I put away the ones that are eligible and the ones that are not. Right now the people that we're working on are the ones who are acceptable and we have a lot of students who are acceptable. And I also work at a center with kids, with elementary kids. We push them to get an education. We tutor them to get their grades and we get parents involved -- for the community to be involved and things like that.

And that's it.

SENATOR SOLIS: Madam Chair, I have a question.

SENATOR HUGHES: Yes.

SENATOR SOLIS: When did you start in the Upward Bound program?

MS. GARCIA: I started when I was in ninth grade.

SENATOR SOLIS: Ninth grade. So you had like four years of extensive involvement in the program?

MS. GARCIA: Yeah. I also took two summer programs at UC Berkeley. They both dealt with six weeks of going to classes, workshops that deal with the things you were going to be facing in the UCs. They taught us how to manage our time like how long to study, things that will help us for the UC.

SENATOR SOLIS: And what is your major? What career?

MS. GARCIA: My major right now is undeclared.

SENATOR SOLIS: So unlike, I guess, the student sitting next to you, you're kind of there trying to go through your first two years figuring out what you want. But for you it was a good match, it looks like, at Riverside. It sounds like the environment was there and that you had a helping hand. And it continues there at the campus. If you're a part of the outreach program, that also helps you. Is that a paid job that you have?

MS. GARCIA: Yeah.

SENATOR SOLIS: It's a paid job. Is that part of your financial aid?

MS. GARCIA: Yeah. It's work studies.

SENATOR SOLIS: So it's kind of a collective nucleus that's been developed. That it continues from high school to college. And what's your grade point average?

MS. GARCIA: Right now or when I graduated from high school?

SENATOR SOLIS: Right now.

MS. GARCIA: It's a 2.8.

SENATOR SOLIS: 2.8, okay. Thank you.

SENATOR HAYDEN: All right. Thank you very much. The next witness is Sonia Hernandez. You are not Sonia Hernandez.

MR. BILL VASEY: I'm Bill Vasey with Intersegmental Relations.

SENATOR HAYDEN: Can you speak for her?

MR. VASEY: I can.

SENATOR HAYDEN: All right.

MR. VASEY: I believe you have some charts. They're sets. There's a set of three. I'll be brief.

I'm Bill Vasey, California Department of Education. I'm the Manager of Intersegmental Relations. We have--

SENATOR HAYDEN: Excuse me. What we're going to do, ladies and gentlemen, is this is our last witness. There may be some in the audience who would like to say a word, but we're going to be very brief, and then I'm going to ask members of the committee if they have any final comments for you. We should be done in 20 minutes -- 15 or 20 minutes. If Mr. Henning can wait.

All right.

MR. VASEY: The purpose of my testimony today is to bring some preliminary data about what's going on in California public schools. The issues raised by the University of California in terms of outreach efforts and CSU and their remediation efforts are certainly tied to what's currently going on in terms of academic performance in public schools.

Because adequate preparation in mathematics is an important element in the UC eligibility discussion, we decided to look at variations in enrollment in Intermediate Algebra and Algebra II in California public comprehensive high schools. We've organized the data in three charts. Each chart presents about five equal groups of high schools sorted by the percentage of all students enrolled in Algebra II or Intermediate Algebra. Please note that in a particular school, the data about individual ethnic groups may differ from the summalative data at the group level.

The Chart 1, which is the first chart you have there, focuses -- I will focus on the data in all groups, on the major ethnic groups: Asian, Hispanic, African American and white. All of the detail you have there includes other ethnic groups.

The first chart displays the total enrollment by ethnicity for each high school group. So if we look at group one, which would be the top 171 schools by Algebra II enrollment, you'll see that Asians represent 14.9 percent of the students in those schools. And if you look at the bottom of that same column, they represent 7.6 percent of the students in the bottom group of schools in terms of enrollment into Algebra II.

One of the interesting things that you'll notice is that the enrollment of groups differs. That white and Asian enrollment decreases as you move from these high enrollment in Algebra II to the schools with low enrollment. Hispanic enrollment increases. African American enrollment is relatively uniform throughout the groups. And then the other piece of information on that first chart, some not surprising data, is that AFDC counts increase as you move down and LEP counts increase.

Chart 2 shows the percentage of students within an ethnic group who are actually enrolled in Algebra II. So as an example, on the second page there under group one, which is those top 171 schools again, 26.7 percent of the Asian students in those schools enrolled in Algebra II.

If you look across, you'll notice in that top group almost -- you can sort of think that almost all students are taking Algebra II. That is, it says about 25 percent. Well, if you have a four-year high school, you would expect that number to be about a quarter of the students if all the students were taking it. Regardless of ethnic group, almost all students, although the numbers for African Americans are slightly lower, but it's almost all groups.

If you go down between groups, you'll notice that the enrollment in Algebra II decreases across all ethnic groups. Although for some ethnic groups it decreases precipitously, and for others much more slowly.

The third chart, we tried to look at some similar data saying, okay, Algebra II is one indicator here, but UC and CSU have a whole course enrollment pattern. And so the third chart represents the percentage of all -- and this is a slight change -- of all graduates of the high school who have completed ... (tape turned over) ... This does not mean they're eligible. This means this is self-reported data from the public high schools. It means that they received C's or better in those courses.

You'll notice that for Asian, as an example, 67.4 percent of the Asians in group one completed the A through F sequence and 50 percent of whites completed the A through F sequence. And you'll notice that in the bottom group for, let's say, Hispanics, 20.5 percent completed the A through F sequence and 35.8 percent of the whites completed that sequence.

What can we see from this data? Well, as I indicated at the very beginning, this is a preliminary look at the data. We think it's real important that when the University of California tries to address what's going on, most of the changes are going to have to take place in California public high schools to make sure that we have more students prepared. And there've been lots of proposals about what are the appropriate intervention strategies.

We think we have to gain more information and look at the data in more detail, but when we first looked we could say in the top two groups on this third column, it looks like we have a very high percentage of students who are actually completing the course sequences. And so perhaps some student-centered approaches might tie currently underrepresented students more closely to this high expectation curriculum. And in the schools in perhaps the bottom two groups, there isn't as much infrastructure in place, and so it may take more of a whole school change approach to address the issues and to make some of the difficult decisions the University of California has right now less onerous. Or perhaps we'll make it more onerous by having all students performing to much higher levels, and we will have 50 percent of the students eligible. That will be a different problem that you all will face.

There's data that's not here. As I mentioned, the first thing the data on the first page indicates that it's not just large urban schools that are not having high numbers of students enrolled in Algebra II, but it may be a combination of large urban and small rural. And so we need to do some more investigation about the data, and we are committed to working with the other segments and providing you with as much information as we can obtain, hopefully in a timely fashion so that the policy decisions you make will be informed by the data.

I'll be happy to answer any questions.

SENATOR HAYDEN: All right. Thank you.

SENATOR HUGHES: Could you find out if the State Department of Education could give us any idea of how many schools in the state, where even the best student in that school is not qualified for UC? I mean, even the best student. How many?

MR. VASEY: We have some data from two years ago and I will get the same data that I provided to your staff a couple of years ago. A couple of years ago there were 34 -- now, this is all self-reported data -- there were 34 schools that had at least one high school graduate that didn't report anybody completing the CSU/UC course sequence. Now, that's just C or better. Three of those schools were from Irvine and that's just a reporting difference we have with Irvine Unified. They don't want to provide the data to us. And all those schools have lots of people going to UC. Of the other schools, the vast majority -- I think with one exception, which I haven't checked out -- were very small schools. They might have had a very small number of graduates. And I will get the current data from 1997 and provide you those lists of schools with enrollment so that -- I mean, that is a very important issue.

The other part of the question you asked, there may be schools that offer enough courses for a very few people to take it but don't have the expectation that everybody will take it, and you will get the result that you heard testimony about by the previous speaker.

SENATOR HUGHES: Well, is there anyone in the audience who feels compelled to make a statement? We'd like to hear from you.

All right. Let's hear from the person in the audience then. As the chair of this committee, I'm sure you could wrap up.

MS. GRICELLA CASTRO: Would you like me to go ahead?

SENATOR HUGHES: Yes, go right ahead.

MS. CASTRO: Good afternoon. I'm Gricella Castro. I'm Coordinator for Student Affairs at UC Davis. I'm the person who works with the faces of diversity that you see in the room today, day in and day out, and I hear their stories of struggle. And so I know from the ground up the history and the day-to-day life of affirmative action. I've worked in the area of student affirmative action for about 25 years. The last 16 years at UC Davis. Before that at the Postsecondary Education Commission and at the University of Stanford as well.

Working from the UC system we hear everyday we have to be patient. That the era of affirmative action has sunsetted, and that the focus of UC now is on outreach. But that we must be patient because we won't see the results of the fruits of the university's labor for 10 to 15 years. And as a person sitting inside the university, talking to students everyday, talking to students with outreach, I look to you, to the Legislature, for leadership because I think that we need your help. We don't have 10, 15 years to wait.

While we are very happy that the university has finally realized its responsibility in working with K-12, in preparing students for the University of California, we are disheartened to see so many students prepared for rejection. What kind of message are we giving to the students that we're saying, "The key is academic preparation," and "It's incumbent upon the schools to do a better job," and "We'll help you"?

I would like the Legislature to look seriously at the California Master Plan of Education. As some of you have indicated here, as long as that 12.5 percent is set, you will see the University of California continually add rights of omission that will exclude people of color. That have the same effect that tracking has had in many years of California K-12 that I am a product of and had to overcome through many struggles in my high school when I was not allowed, even though I was eligible for the college prep, because of my race; and my counselor felt that I should be in a clerical role because that was appropriate for a young Mexican girl of my generation.

What you're hearing today, the arguments of SAT I's, SAT II's, all of these are just more rights of omission that unless that 12.5 percent is not looked at more and more rights of omission will be imposed by the University Board of Admissions, whom I would like you to look at to see what percentage of those members are people from the scientific community, and whether those criteria, the setting policy and standards in California, are appropriate.

Then I would also really like you to look at, since we don't have 10, 15 years to change the face of California, we don't have time to build new campuses. We must do that, but--

SENATOR PEACE: What do you mean by from the -- what conclusion are you suggesting we should draw from the-- You're suggesting that the Regents are overrepresented in terms of folks drawn from the scientific community?

MS. CASTRO: The BOARS Committee. The Committee on Admissions that set the standards.

SENATOR PEACE: And because of that balance they tend to, what, be more research oriented? Or just tend, by personality, tend to be more statistically oriented?

MS. CASTRO: Probably both. I'm looking at individuals. We have a faculty member in our department who is a very distinguished national artist whose son is a valedictorian from Woolsey Wood High School in Vacaville. He received the California Art Institute Scholarship which is given to one student in the state of California. He has a 4.7 GPA. Accepted full scholarships: Harvard, Yale, Stanford, Brown; rejected at Berkeley. And white students with a lessor GPA, non-valedictorian, higher math SAT scores have told me, "See?"

SENATOR PEACE: In that experience, though, it is a cross-cultural experience, and I've got lists and lists and lists of students who excel, particularly those outside of the sciences, who excel and have been accepted at private institutions and were not eligible at Berkeley, UCLA and UCSD, in particular, those three institutions. Maybe part of what we need to do is dispose of the fiction that those three campuses are part of the UC system anymore, because the reality is they're not.

MS. CASTRO: It's been proposed that maybe Berkeley be considered an upper-division college and be more accessible to other people. So there are many ways that we can look at it.

SENATOR PEACE: There are. And I'm troubled that we may head that direction. I think that diminishing the university experience to a two-year experience for students despite -- I understand the efficiency contemplated in the Master Plan, and the guaranteed admissions through the community college program is one of the greatest programs we have and we need to keep it, but to eliminate the four-year college experience, in essence in our universities, I also think would be horrible social and cultural mistake.

MS. CASTRO: I agree with you.

SENATOR PEACE: And that's it. I'm sorry, I didn't mean to interrupt you but I wanted to make sure we understood where--

MS. CASTRO: Okay. I have a couple of more points that I feel like I need to make. I really support the idea that was mentioned earlier. Ed Abodacca visited the campus with a student-led conference students on our campus had a few weeks ago and he talked about space. Unless we look at space, we're going to have this argument about what is criteria, and who is more eligible than others and what that does.

From what I understand, the University of California at Santa Barbara started out as a state campus and was converted to a UC. I don't think that the quality of the UC system has been diminished by that campus becoming a UC. And if we look at many of the state colleges that are already in key demographic areas, like San Jose State, I don't think that looking at a couple of campuses and converting them to CS would hurt the quality of the UC system. And I really would like the Legislature to look at that, because if you look at the CPEC eligibility study, what really bothers me is that while the university is talking about waiting 10, 15 years for the outreach to pay efforts, there is a huge pool of students of color who are potential UC applicants that are missing the boat because they are not getting the information of the SAT II's or they're self-selecting.

SENATOR PEACE: Although, if we merely look at the box only in the context of the UC problem, fix that at the expense of simply upgrading -- and I'm inclined to agree, in general, to do that -- but you've got a backfill because you've got a million kids that are going to be UC/CSU eligible by 2005, for which there won't be spaces. So purely converting to the UC and exacerbating the problem at CSU, which is far more economically accessible to more students, doesn't solve the problem.

MS. CASTRO: No. You have to go all the way down to convert some of the top JCs--

SENATOR PEACE: Fundamentally you need new campuses. You need more campuses, period.

MS. CASTRO: You need new campuses. But the short term can be converting some while you're building others.

SENATOR PEACE: Military base opportunities and a whole variety of things.

MS. CASTRO: Exactly. So I think that the Legislature has to be very creative at looking at what we can do on the short term while we get to the long-term goals, because otherwise we will have a crisis in this state.

But one of the things that I noticed in the CPEC eligibility study, that potential pool is very worrisome to me because from what my experience is in talking to students day in and day out, and talking to the recruiters, is that many students are self-selecting to the CSU that could have the leadership and have the ability to go UC because of economic issues. And if we look at some UC campuses that are near the population, we will solve some of that problem.

As a matter of fact, because on our campus the admissions criteria with the new changes, they had to shut down for a month and they train everybody from the support staff to read the applicants because they had 10,000 applications. They stopped the recruiting process because they couldn't handle it. Last year I talked to hundreds of students coming that they brought to the campus who were admitted. This year that did not happen. They could not do the Saturday "Get Acquainted Day." So as a compromise, I sent 1,000 letters to Chicano/Latino students who had been admitted, telling them that there was a community here, with my phone number and e-mail. And in fact, I have received calls and the issues are economics. I had one this morning: "Maybe I should go to Fresno State because my parents make under $20,000 and this offer letter is telling me I need $3,000 more; I can't get it."

I want to bring to your attention one more thing. There was a study done by a private institute in Boston on financial aid loan indebtedness, and they found -- this October, it was released -- and they found that 70 percent of the students who did not complete their education nationwide, 70 percent of the African American and Chicano students said that they left because of economic hardships. Now, when they looked at how much loan indebtedness there were, they were not more -- necessarily more in loan -- as a matter of fact, the average loan indebtedness for all students was $18,000, and for African Americans and Chicano students it was $16,000. The problem is one of perception. Like the one young girl that called me this morning thinking she should stay at Fresno State. If my parents make $18,000, that's a lot of money and they're self-selecting.

So I implore you to look at campuses that are with our population, and you will see the numbers increase dramatically without having to wait for the 10, 15 years for the outreach programs to work.

Thank you.

MR. CARLOS JACKSON: My name is Carlos Jackson. I'm a student at University of California at Davis.

MR. ANDRE NUÑOS: My name is Andre Nuños. I'm also a student at University of California, Davis.

MR. JACKSON: Pretty much you see the students that have stayed here today -- just really quickly, we did come from a protest today that was at school where people did cry, people did break down, people did yell. Pretty much just to say -- I mean, the fact that there was a protest at Davis is already something to say.

SENATOR PEACE: Hey, wait a minute. I'll have you know I participated at Davis when we were going to stop this train that was supposedly on its way to bring bombs to Vietnam. Unfortunately, after stopping it we discovered it was full of sugar beets. But we made our effort.

MR. JACKSON: But just let me say that this is something, okay? and that people are mad and students are. And I don't want to preach to the choir. I commend and I thank you wholly for taking on this issue for your bill. I truly do thank you for that because I know that you're trying to do some good. So I do not want to preach to the choir. But I do want to just say that with the passage of Prop. 13, California has gone down from, like, top five, and their per capita spending to high schools to 43rd in the nation.

The way this is played out is Roosevelt High School in Los Angeles, 4,000 students, mainly Chicano, Latino, Mexicano, 113 applied out of 4,000 students to the University of California at Davis and only 86 got in. Palos Verdes High School, a much different setting, much more privileged students, much more money, people that can afford for their AP tests, people that can afford to hire people to fill out their applications for them, to help them with their applications, to work through the process -- 324 applied;, 285 have got in. Okay?

Equal opportunity is dead, pretty much is what I'm saying. It's been dead for a while, and unless something happens in the future -- and that's why I'm looking to you. I'm looking to you like these others said for some guidance, for some leadership, to take a stand and to show us students that you truly care about us, about diversity, and about taking a step forward.

I'm just trying to make this quick. It's just like I said, we do care and we are going to take steps and we will continue to, and we're not going to let this happen and we're not going to let equal opportunity continue to be dead. It's like I said earlier, I believe in reincarnation, and I believe that it will be reinstilled.

Thank you.

MR. NUÑOS: And I also do not want to preach to the choir, but I just wanted to mention that there are students out there, similar to what he was saying, that are working very, very hard and at the risk of their academics to make people aware and try and make changes. And there are efforts right now statewide that I happen to be part of. We're organizing a GROW conference, which is a Grassroots Organizing Weekend, to specifically attack this issue from the students' end.

But a lot of the students are getting burned out, and we are looking for legislators, or for anyone in the Capitol for leadership. I'm really glad that Gricella mentioned that -- I happen to work for her.

SENATOR HUGHES: I want to tell you, UC Davis has a special place in my heart because my son was a graduate of UC Davis. He's now an attorney. He was the only black in the class. He was there during the days of Bocchi(?). He was an undergraduate. He was the only black student in Latin American Studies class. He was the only black student in Native American Studies. He was the only black student in Asian Studies. And I told him he didn't have to go to black studies because the world has let him know who he was. But he took all of those classes, and I would hope that white students would access themselves to the wonderful opportunities you have in ethnic studies on that campus and on other campuses. And that's what education should be about.

I'm very proud of you. I'm very sad and sick at heart that you're still fighting the battles of the late '70s. It's turned around. What goes around comes around. But prepare yourselves, because there will be jobs. There will be jobs for people like you to sit in these seats where we're seated now because there are term limitations. So you see us now, and you won't see us later. But come prepared, come prepared with the very best educational backgrounds that you could have so that you can be intelligent and have the insight that you have today by continuing to go to the university and learn as much as you can learn, and you can do anything you want to do. You might even be on that long ballot that's going to come in June someday. You might be on the next ballot for not only the governor but the next ballot for the President of these United States.

I thank you so much, students, for going to the university, for making your presence known there, and for having a commitment to your colleagues, and your brothers and sisters who want to get into the university.

And I made the PSA for the University of California, and I have encouraged students, and I will continue to encourage students, if they get an admissions acceptance, don't turn it down. Come. Come to the University of California. Play their hand. Make them responsible by being present there. Meet the challenge. But most of all, don't drop out and don't get tired.

MR. JACKSON: Thank you very much. I appreciate that. And I would just like to say one more thing. That is that I don't know how many times you've had students from Davis, like I said, come here with a lot of emotions in their heart and in their minds, and I would assume maybe 30 or more came today. Next time we will bring more, and we will bring more.

SENATOR HUGHES: The other thing is don't forget to vote, because I get so sick and tired of students saying, "I didn't vote because I had to write a term paper." There's something called an absentee ballot. My children never knew what it was like to go to the polls when they were in college because I always made sure they got the absentee ballot. So, if you want to really pass the test, you get your absentee ballot. And it's going to be long this time but you're fast readers, and that's why you're at the university. Vote! Vote! Vote! So that you have good leaders here not only in Sacramento but in the White House.

SENATOR HAYDEN: Madam Chair, I'd like to make a few closing remarks.

SENATOR PEACE: At the risk of sounding like you're getting more advice than you need -- I heard you say something that concerns me. You said a lot are getting tired. A lot of you are getting tired. You know, don't let our generation do to your generation what we did to ourselves. We're in this because people who have a heck of a lot more in common in their lives allowed a very small number of people to convince them that they had more differences than commonalties.

You heard some references here about the zero sum game. If you want to be able to energize yourself and be there for the long haul, don't allow yourself to be pitted against each other as students. This fight for opportunity really is more about a generational fight than it is about an ethnic fight or anything else. It's the unwillingness of my generation to put the resources on the table to meet our responsibility to assure that you, in turn, are going to be able to meet your responsibility for your kids. And it's that simple. It's not about black, brown, purple, green, or anything else. It's about our unwillingness to put enough resources on the table to meet our responsibilities to our kids -- all of our kids.

MR. JACKSON: That's why we're here today asking for your leadership 100 percent.

SENATOR PEACE: If you can reach across those boundaries that we've failed to reach across, you'll be successful where we failed.

MR. JACKSON: Okay, because I would just like to say one more thing, and that is we're going to take this to the Regents. And I truly ask that you do stand behind us, because it's like I said, equal opportunity is dead and a lot of that I look to the Regents for their passage of these things and for their straight-out hijacking of the University of California system, as Chancellor Young had once said. Fourteen of the people who did vote for SP-1 and SP-2 were highly connected political people, highly connected. Whereas, in our state's Constitution it says that these Regents are supposed to be a non-political entity and it's supposed to make decisions separate from political ties. We have highly connected political people doing directly political things, as Ward Connerly is one who, after the passage of SP-1, SP-2, became the lead spokesman for Prop. 209. These are things that we're going to look to and we're going to take it straight to the Regents.

SENATOR PEACE: But you know what? Don't take the bait.

MR. JACKSON: I'm not though.

SENATOR PEACE: Listen to what I am saying. Don't take the bait. That's the fight and that's the fight they want you to be in. You want this to be something that's solved 20 years from now, 50 years from now, or something we begin solving today? Politics is the way we make decisions in a democracy, period. And to argue that "Oh, it's about politics," in the end is to argue against democracy. And go out, take a look at the statistics -- you heard a lot of people throw a bunch of statistics around there. The chairwoman just implored you all to vote. Look at the numbers in terms of where the votes are. You're living in a democracy, good, bad or indifferent. Be smart about attacking those demographics, and craft your attack in a way that you can win in a democratic society. And the way you do that is to reach across--

MR. JACKSON: And that's what we're trying to do. I'm going to quote Plato real quick and I'm going to say that--

SENATOR PEACE: You know what? Plato doesn't have a vote.

MR. JACKSON: But let me tell you this, okay? That's because Plato was a revolutionary and he was exiled. I'm going to tell you this, that there is no democracy if people are not educated. And our people are not being educated. And that's the point I said about these two high schools.

SENATOR PEACE: And unless you--

MR. JACKSON: We don't have a democracy yet, and that's why we're going to take it to the Regents.

Thank you very much, I appreciate your time.

SENATOR HAYDEN: Thank you very much. I made some notes on some of the specifics, and I just wanted to close a couple of the gaps.

One, the students here should know that the Regents, through a very complex argument, eliminated the UC Student Lobby. That's why we don't see so many students here anymore, or why they have to come from Davis. So please put on your agenda -- it's the only lobbying group I know of in the Capitol that's been eliminated in all the yelling that we do about special interest groups. The only one offed is the UC Student Lobby. They can't come here. It's outrageous and you shouldn't let the Regents sit behind a court decision. You should be asking them, "If some of you don't like 209, why don't you do something? And if you're willing to buck that, "Why don't you do something about the fact that the students don't have a voice in Sacramento?" While fees have gone up 110 percent and campuses have disappeared, virtually, thousands of people are no longer eligible or admitted.

Number two, for eight years I carried a bill -- and I think my friends here supported -- on prepaid tuition, and the university has lobbied against it. That's the way to take care of the economic insecurity of saying, "How am I going to afford to get into that place in 18 years?" It was a down payment program where you put in a little bit a month, or a church or a civic group could buy in for you, so you could tell a six-year-old, "If you do well, don't worry about the money, you're going to get into the University of California." Killed.

To our friends from the six percent committee, I want to say one thing. Don't call your proposal an experiment or a study. It sounds too academic. If I was a parent, I wouldn't jump at it. I'd just say, "It's an alternative. It's an alternative route of admission and we're prepared in five years to look at the results. We believe it will be better." I don't think there's a need to make it sound like a study. I don't want to repeat on the 4, 6, 8, 12 percent issue, the point that Senator Peace made, but suffice to say, expansion of opportunity is the answer, not redistributing the slots within a shrinking admissions system.

There's a bond measure that I think you can lobby on. That should be before us this summer for placement on the ballot in November, for those of you who are interested in the expansion of facilities and space. You've got to push the administration and your legislators to go for that. It's a multi-year bond that would put billions of dollars into expansion.

On outreach, I, for one, Madam Chair, would like to return to that. I didn't hear enough except some stories about outreach. There's a proposal to spend millions of dollars. I would hope that the university supports service learning, which means students on campus get academic credit for doing tutorial work and other community service off campus, and some compensation, so that all that energy can be harnessed.

On the SAT bill, we will move forward. I still think that the economic disparity between access to good results on the SAT is one that we need to deal with and may be part of a larger legal question about disproportionate racial impacts.

I would also urge you to constantly evaluate and set up centers of information on your campus to look at what we're doing on the budget side for incarceration versus what we're doing for education. That's an informational task. People just don't know what's in the budget.

The faculty friends, I think, need to also re-visit that dread subject of the criteria for hiring, and promotion, and tenure because the incentive system in the university runs away from maximum attention to counseling or teaching undergraduates. There's some really noble people here, like the people that testified, but I've heard again and again from professors that they can't do what we would like them to do because it would be suicide in terms of their promotional opportunities. And there's too many stories like that to discount.

I think Senator Hughes has pushed this -- unless we do something about transfer opportunities and agreements between the community colleges and UC, we're nowhere. You will remember the Master Plan, it was supposed to be a pyramid of equality, or a triangle of equality, but it turned into like a pyramid of status with community colleges at the bottom. But it says in the law, and I thank you for bringing up the Master Plan, that you're supposed to have an equal educational experience whether you start as a freshman in a community college or at the University of California, but that's simply not true. I don't know what the solution is. Get all the transfer students in the community colleges to have UC T-shirts? I'm not sure. But there's tremendous resistance to linking the first two years of community college with the university, and that is one of the things that could be changed and you'd begin to have immediate results.

There's also going to be, is there not, several hundred charter schools created, potentially? These are charter schools within the public school system, which allows you, by petition, to create an alternative public school aimed at what you think might work to make more young people eligible for the UC system. There will be 300 or 400 in the next few years created. And the reason I'm ending on that is I think if you have a diverse society, you need diverse techniques in learning and in education. I'll give you one example in closing.

You know, before 209 it wasn't dream time in California. The number of African Americans students at UC, for example, was two percent. So let's not think there was some kind of beloved community and then 209 came along. Affirmative action resulted in two percent African American. So there's a chronic, systemic, institutional problem here that is deeper than we know.

There's a poet in Ireland who won the Literary Prize last year -- I don't even know the name -- Shamus Heeney. And he speaks and writes in the English language, even though that's the language of the colonial power. And one of the things the Irish have done, apparently from James Joyce Hahn, is learned to speak English better than the English. So he told a story about teaching that I want to conclude with, because he would teach kids in their original language and in English at the same time. And he had a kid in a class and they were told to describe the sparrow. The sparrow is the symbolic spiritual bird of the Irish nation. And this is a kid who, at home, was speaking in Irish and in the school was learning English. And so he had to write this sentence in English about the sparrow, and the sentence went like this. It said, "The sparrow is a migratory bird." That was the first half. That was perfect industrial language -- English. "The sparrow is a migratory bird." Very functional. Then the kid couldn't make it the rest of the way and tailed off and wrote in English, but it wasn't really English -- "and he have a roundy head." "The sparrow is a migratory bird and he have a roundy head."

So this kid was struggling to express in English through the filter of a very different understanding about the persona of a bird. Not what's its function, but what's its character. And it could not be a better example of how difficult it is to have one form of teaching, or one standard that is supposedly objective for entry to the higher educational system. There is no objectivity in a multi-cultural society, and that is what's scaring the hell out of people. If you don't agree with me, look at the opinions about the O.J. trial. Look at the percentage of people who thought he was guilty or innocent, according to ethnicity, and you will see truth, as an objective standard, is gone.

And there's just too much clinging to an objective standard, a numeric standard, rather than an embracing of the complex diversity of race and language in California. You cannot impose an objective, antiseptic, numerical admissions system on the state, I don't think, because the thing that Chancellor Young left out was that while the admissions people, some of them, might want to go back to 1955, the state isn't. The state is going forward, and it's not 1955 in the suburbs or in the cities. It's a very, very different world.

So the admissions people have to catch up with the state, and I don't know what they're going to do. But defending an institution and defending these standards at a time that it's creating this gap is a crisis that's going to be prolonged until there are many more hearings like this that finally lead to some kind of political solution that is complicated, but fair, in the spirit of who really lives in California, who really pays the taxes in California.

Thank you, Madam Chair, for your efforts.

SENATOR HUGHES: I want to thank our staff. They put together all of these documents. They sent out all of the information. Stephanie Rubin from Senator Hayden's staff. Jamillah and Allen from my staff. And I want to thank Senator Peace for staying here and sticking it out with us. And for the other Senators who floated in and out. And I want to thank those university staff people that I see sitting out there who've been with us all afternoon. And I want to thank you students because I'm sure there are many other things that you could be doing at this time, but you have the commitment to be here with us, and we must stay together if we're ever to get any solution to this problem so that another 20 years from now we won't have the same injustices repeating themselves.

Thank you very much. Have a lovely evening. And I loved the way you learned this.

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